

URBAN/MUNICIPAL
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BY-LAWS OF THE
COUNCIL OF THE
CORPORATION OF THE
CITY OF HAMILTON

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BILL NO. A-44

BY-LAW NO. 96 - 143

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"MacNab	Northbound	Colbourne
Jackson	Westbound	Pearl
Fernwood	Eastbound and Westbound	Castlefield."

2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Somerset	South	commencing at Barnesdale and extending 32 feet westerly therefrom	Anytime
Chedmac	South	commencing 600 feet west of Rice and extending 77 feet westerly therefrom	Anytime
Chedmac	South	commencing 870 feet west of Rice and extending 83 feet westerly therefrom	Anytime."

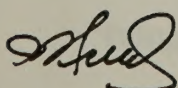
3. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following items, namely:-

"Rifle Range	East	40 feet	commencing 256 feet south of Whitney	7:00 am - 6:00 pm Monday to Saturday
Delena	West	23 feet	commencing 195 feet south of Main	8:00 am - 5:00 pm."

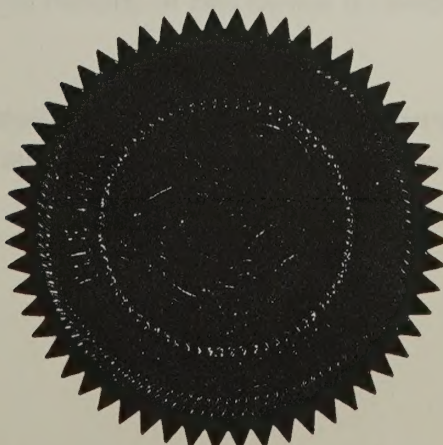
and by deleting therefrom the following item, namely:-

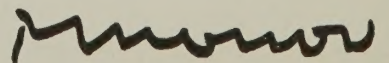
"Rifle Range	East	30 ft.	commencing at a point 266 feet south of Whitney	7:00 a.m. - 6:00 p.m. Monday to Saturday."
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PASSED this 24th day of September A.D. 1996.



CITY CLERK





MAYOR

BY-LAW NO. 96 - 144

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 25 (Parking Time Limits) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Summit	West	from 154 feet north of Concession to 41 feet northerly	2 hr	8 am - 6 pm	Mon - Sat
Gladstone	East	Main to Delaware	2 hr	8 am - 8 am (24 hr)	Mon - Fri."

2. Schedule 26 (No Parking Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Gladstone	West	Main to Delaware	Anytime
Locheed	West	Paris to 90 feet southerly	Anytime."

3. Schedule 27 (Alternate Side Parking) of said By-law is hereby amended by adding thereto the following items, namely:-

"Gladstone Avenue Cumberland Avenue to Delaware Avenue	West	East
Knyvet Avenue Inverness Avenue to Kelso Street	East	West
Kelso Street Highcliffe Avenue to Knyvet Avenue	South	North
Rochelle Avenue Queen Victoria Drive to Stone Church Road East	West	East."

and by deleting therefrom the following item, namely:-

"Gladstone Avenue Cumberland Avenue to Main Street East	West	East."
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4. Schedule 34 (Sticker Permit Parking) of said By-law is hereby amended by adding thereto the following items, namely:-

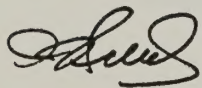
"Paling	East	commencing 603 feet south of Barton and extending 27 feet southerly therefrom	Anytime
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Keith	North	commencing 116 feet east of Emerald and extending 18 feet easterly therefrom	Anytime
Francis	South	commencing 180 feet east of Douglas and extending 17 feet easterly therefrom	Anytime
Dunsmure	North	commencing 96 feet east of Park Row and extending 19 feet easterly therefrom	Anytime
Dunsmure	South	commencing 102 feet east of Park Row and extending 18 feet easterly therefrom	Anytime
Fairfield	East	commencing 26 feet south of Vansitmart and extending 20 feet southerly therefrom	Anytime."

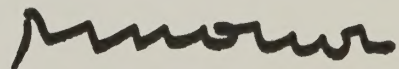
and by deleting therefrom the following items, namely:-

"Maplewood	South	commencing at a point 76 feet west of Cedar to a point 18 feet westerly therefrom	Anytime
Fairfield	East	commencing at a point 26 feet south of Vansitmart Avenue and extending to a point 40 feet southerly therefrom	Anytime."

PASSED this 24th day of September A.D. 1996.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 145

TO INCORPORATE CITY LAND
DESIGNATED AS PART 16, ON PLAN 62R-6257
INTO QUEEN VICTORIA DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Queen Victoria Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

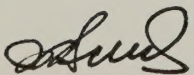
1. The following land is hereby established and laid out as a public highway to form part of Queen Victoria Drive.

Part Lot 6, Concession 7, in the geographic township of Barton, designated as Part 16, on Plan 62R-6257.

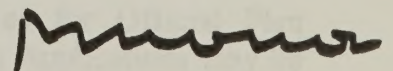
City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

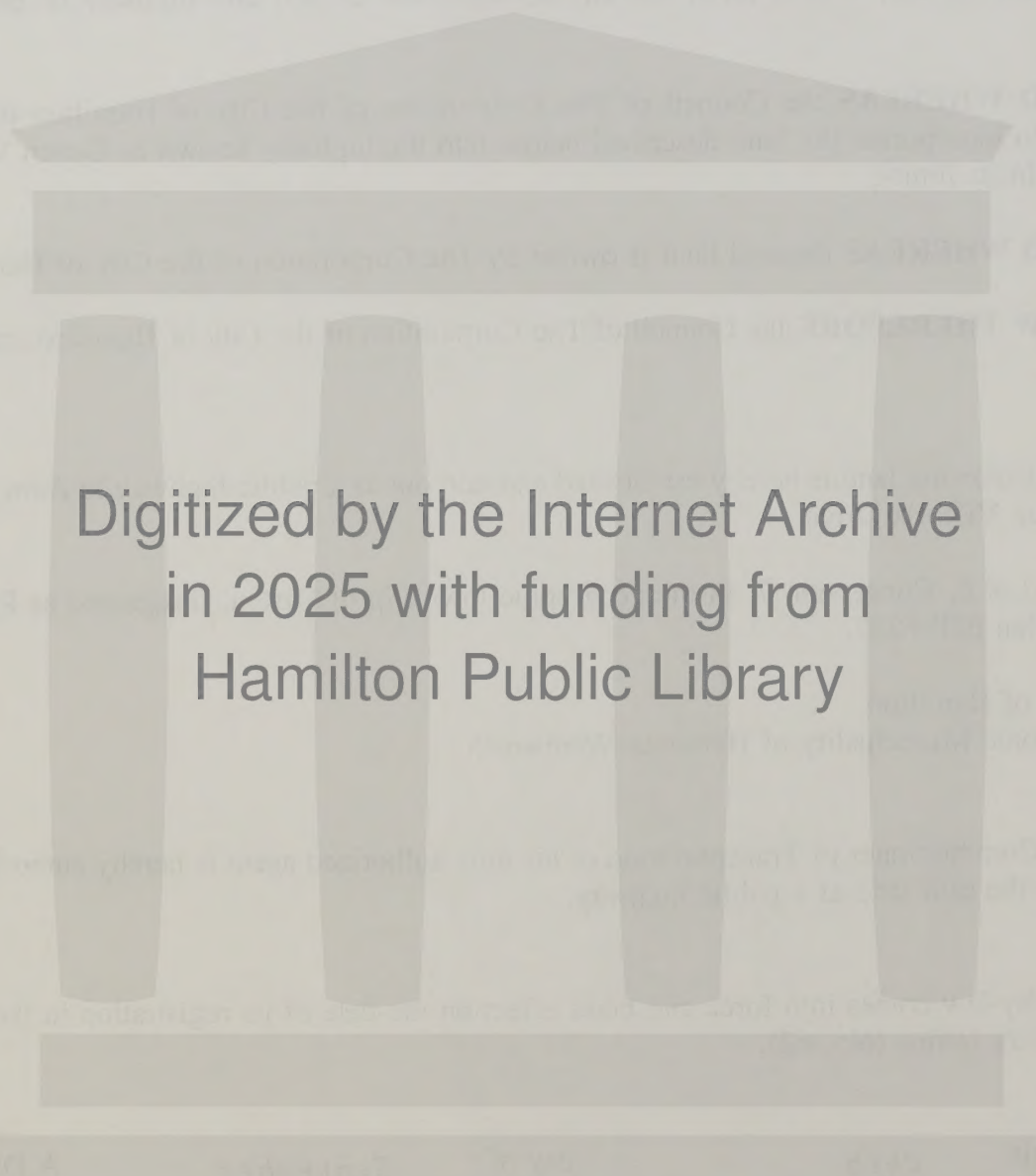
PASSED this 24th day of September A.D. 1996



City Clerk



Mayor



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The Corporation of the City of Hamilton

By-law No. 96- 146

To Amend By-law Nos. 84-252, 93-243, 87-55 and 93-167

TO REDUCE VARIOUS FEE BY-LAWS FOR THE DOWNTOWN AREA

WHEREAS Section 42 of the Planning Act R.S.O. 1990, Chapter P.13 authorizes a Council of a municipality to enact a by-law to require the conveyance of land for park purposes as a condition of development or redevelopment of lands for residential purposes;

AND WHEREAS Council, on November 27, 1984 enacted By-law No. 84-252 which requires a conveyance of five percent of the land being developed or the value of the land otherwise required to be conveyed to the City;

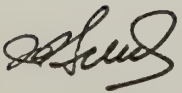
AND WHEREAS Council, on August 27, 1996, in adopting Section 19 of the 13th Report of the Planning and Development Committee, authorized a moratorium of the Five Percent Land Dedication Fee, Building Permit Fee, Committee of Adjustment Fee and specified Planning Fee, for lands developed in the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue, if a Building Permit is issued prior to September 1, 1999;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

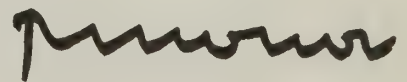
1. By-law No. 84-252 is further amended by the addition of the following section:
 - 4.B (1) Despite any other section of this By-law, no conveyance of five percent of the land being developed, or payment of the value of that land to the City, shall be required if,
 - (i) the land being developed is located in the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue;
 - (ii) a Building Permit to build upon the land is obtained prior to September 1, 1999;
 - (2) This section shall be repealed on September 1, 1999.
2. By-law No. 93-243 is amended by the addition of the following section:
 7. (1) Despite any provision of this By-law, the fees for Official Plan Amendments, Zoning Applications, and Site Plan Applications may be refunded to a Building Permit applicant if,
 - (i) land being developed is in the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue, and
 - (ii) the fee was paid after August 27, 1996, and
 - (iii) a Building Permit to build upon the land is issued prior to September 1, 1999.
 - (2) This section shall be repealed on September 1, 1999.

3. (1) By-law No. 87-55 is amended by the addition of the following section:
5. Despite any provision of this By-law, the Committee of Adjustment Application Fee may be refunded to a Building Permit applicant if,
- (i) land being developed is in the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue, and
 - (ii) the fee was paid after August 27, 1996, and
 - (iii) a Building Permit to build upon the land is issued prior to September 1, 1999.
- (2) This section shall be repealed on September 1, 1999.
4. (1) By-law No. 93-167 is amended by the addition of the following section:
- 9.A. Despite any provision of this By-law the fees for Building Permits, Demolition Permits, Zoning/Property Reports and Inspection may be refunded to a Building Permit applicant if,
- (i) land being developed is in the area bounded by Hunter Street, Cannon Street, Queen Street and Victoria Avenue, and
 - (ii) the fee was paid after August 27, 1996, and
 - (iii) a Building Permit to build upon the land is issued prior to September 1, 1999.
- (2) This section shall be repealed on September 1, 1999.
5. Subsection 4.A(3) of By-law No. 84-252 is repealed and replaced with the following:
- 4.A (3) This section shall be repealed on August 2, 1997.

PASSED this 24th day of September 1996.



CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 147

To Repeal:

By-law No. 87-108

Respecting:

LAND LOCATED AT MUNICIPAL NO. 2774 KING STREET EAST

WHEREAS By-law No. 87-108, passed on the 14th day of April 1987, designated the land located at Municipal No. 2774 King Street East, more particularly described in Schedule "A" attached hereto, as property of historic and architectural value and interest, pursuant to subsection 29(3) of the Ontario Heritage Act, R.S.O. 1980, Chapter 337, [now R.S.O. 1990, Chapter O.18];

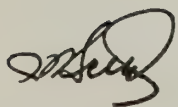
AND WHEREAS City Council, in adopting Section 9 of the 14th Report of the Planning and Development Committee at its meeting held on the 24th day of September 1996, directed that By-law No. 87-108 be repealed pursuant to Section 34 of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 87-108 is hereby repealed.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law to be registered against the property described in Schedule "A" attached hereto, in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the Municipality of the City of Hamilton.

PASSED this 24th day of : September

A.D. 1996



CITY CLERK



MAYOR

Schedule "A"

To

By-law No. 96- 147

2774 King Street East, Hamilton, Ontario

PINS 18209-0001 to 18209-0022.

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Hamilton, in The Regional Municipality of Hamilton-Wentworth, in the Province of Ontario, being part of Parcel Plan - 1, Section 62M-480, being composed of the easterly thirty metres of the northerly thirty-nine metres of Block 36, Registered Plan 62M-480.

BEING PART OF THE PINS.

The Corporation of the City of Hamilton

BY-LAW NO. 96- 148

To Designate:

**THE PROPERTY KNOWN AS ST. GEORGE'S ANGLICAN CHURCH
AND SUNDAY SCHOOL
LAND LOCATED AT MUNICIPAL NO. 137 STRATHCONA AVENUE NORTH
(10 TOM STREET)**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS the Conservation Review Board made a report as required by the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(14)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

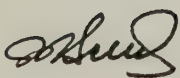
1. The property known as St. George's Anglican Church and Sunday School, located at Municipal No. 137 Strathcona Avenue (10 Tom Street) and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.

2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the Municipality of the City of Hamilton.

PASSED this 24th day of September A.D. 1996



CITY CLERK





MAYOR

Schedule "A"

To

By-law No. 96- 148

St. George's Anglican Church and Sunday School
137 Strathcona Avenue (10 Tom Street), Hamilton, Ontario

In the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth
and being composed of:

FIRSTLY: Part of Lots 42 and 43 fronting on the west side of Strathcona Avenue (formerly Sophia Street) in the block bounded by Tom, Davenport, York and Strathcona Avenue (formerly Sophia Street) in Sir Allan Napier MacNab's Survey in the said City of Hamilton, and which may be more particularly described as follows, that is to say:

COMMENCING at a point on the west limit of Strathcona Avenue distant 79 feet northerly from the south-east angle of Lot 41 in the said survey;

THENCE northerly along west limit of Strathcona Avenue, 36 feet to a point;

THENCE westerly parallel to the southerly limit of said Lot 41, 100 feet more or less to a point 50 feet easterly from the west limit of said Lot 43, which point is on the boundary of St. George's Church property acquired by Deed No. 69393;

THENCE southerly parallel to the west limit of Strathcona Avenue, 36 feet more or less to the lands now owned by St. George's Church as deeded to them by No. 106670 N.S. which point is distant 79 feet from the north limit of Tom Street.

THENCE easterly and parallel to the northerly limit of Tom Street, 100 feet ore or less to the place of beginning;

SECONDLY: Parts of Lots Numbers 41 and 42 fronting on the west side of Strathcona Avenue (formerly Sophia Street) in the block bounded by Tom, Davenport, York and Strathcona Avenue (formerly Sophia Street) in Sir Allan Napier MacNab's Survey and which may be more particularly described as follows, that is to say:

COMMENCING at a point on the west limit of Strathcona Avenue distant 50 feet northerly from the south-east angle of said Lot 41;

THENCE northerly along the west limit of Strathcona Avenue, 29 feet more or less to a point;

THENCE westerly parallel to the southerly limit of said Lot 41, 100 feet more or less to a point 50 feet more or less easterly from the west limit of said Lot 42, and which point is on the boundary of St. George's Church property acquired by Deed No. 69393;

THENCE southerly parallel to the west limit of Strathcona Avenue, 29 feet more or less to the lands now owned by St. George's Church as deeded to them by No. 44837; which point is distant 50 feet more or less from the north limit of Tom Street;

THENCE easterly and parallel to the northerly limit of Tom Street, 100 feet more or less to the place of beginning.

THIRDLY: Part of Lots Number 41, 42 and 43 fronting on Strathcona Avenue (formerly Sophia Street) in the block bounded by Tom, Davenport and York Streets, more particularly described as follows:

COMMENCING at a point in the northerly margin of Tom Street which point is distant 100 feet more or less westerly from the north-west corner of Sophia and Tom Street;

THENCE northerly parallel with Sophia Street, 150 feet more or less to the northerly boundary of said Lot 43;

THENCE westerly along the northerly boundary of said Lot 43, 50 feet more or less to the north-west angle of said Lot 43;

THENCE southerly along the westerly boundary of said Lots 41, 42 and 43, 150 feet more or less to Tom Street;

THENCE easterly along the northerly margin of Tom Street, 50 feet more or less to the place of beginning;

FOURTHLY: the southerly part of Lot Number 41 in the block bounded by Tom, Davenport, York and Strathcona Avenue (formerly Sophia Street) according to the plan of survey made for Sir Allan N. McNab more particularly described as follows:

COMMENCING on the south easterly corner of the said Lot;

THENCE northerly along the westerly boundary of Strathcona Avenue (formerly Sophia Street), 50 feet to a post;

THENCE westerly parallel to Tom Street, 100 feet to a post;

THENCE southerly parallel to Strathcona Avenue (formerly Sophia Street), 50 feet to the northerly margin of Tom Street;

THENCE easterly along Tom Street to the place of beginning;

All as described in Instrument No. VM211074.

Schedule "B"

to

By-law No. 96- 148

Former St. George's Anglican Church and Sunday School

137 Strathcona Avenue North
(10 Tom Street, Hamilton)

Context

Built in 1890, St. George's Anglican Church is situated at the north-west corner of Tom Street and Strathcona Avenue North between Victoria Park and Dundurn Park. This attractive, unpretentious Gothic Revival church and its adjacent Sunday school fit comfortably into the surrounding late 19th/early 20th century residential neighbourhood, with its pleasant mix of modest one-storey frame houses and larger two-storey brick dwellings. The low-rise character of the church setting is interrupted only by the apartment tower to the south-east of St. George's, built on the large site of the former Semmens & Evel Casket Company.

Architecture

Built in the Gothic Revival style, St. George's is typical of the Anglican parish churches erected in the late 19th century to serve Hamilton's expanding neighbourhoods. The characteristic steeply-pitched roof, belfry, buttressed brick facade, and pointed-arched windows of St. George's can also be found in St. Luke's in the north end (1889); St. Mark's (1878) and St. John the Evangelist (1892) in the south end; and St. Matthew's (1887, demolished) and St. Peter's (1892, later rebuilt) in the east end. Although simple and unadorned, this form of the gothic parish church has its roots in the rich tradition of English church architecture.

Credited to Hamilton architect J. H. Young, the church was constructed in 1890 and extended easterly by two bays in 1902, creating a new facade on Strathcona North with corbelled brick decoration and a triple gothic window. The interior sanctuary consists of one, entirely open space, featuring exposed roof trusses, and some fine stained-glass windows. In 1925, the entrance vestibule was added to the front facade. Taken altogether, the pleasing simplicity of design and the balance of proportions make St. George's an architecturally distinguished neighbourhood landmark.

In 1911, the Reverend Frederick E. Howitt, noted both locally and internationally for his work in religious education, undertook the construction next door of a major Sunday school. Set back from Tom Street, the Sunday school building is a tall, brick structure comparable to the church in height and scale. Its exterior treatment is unusual with elaborate brick corbelling on the gable front and widely spaced Tudor-arched windows; the interior Sunday school layout consists of a large, two-storey open room containing classrooms and a mezzanine on three sides. Although the church schoolhouse was a popular addition in the 1890's, St. George's example is unusually large for the size of the church; as a free-standing church school, it is a relatively rare building type today. Formerly accommodating as many as 900 children, the school stands as a testimony to the value that St. George's parish placed on education.

These two brick buildings, church and school, are situated at right angles to each other around a grassed forecourt. Together, they form an interesting architectural complex which enhances the urban character of the neighbourhood.

History

Opened as St. George's Chapel of Ease, the church was built to serve parishioners in the west end of the Parish of All Saints. Only three years later, St. George's became a separate parish, defined as the area westward from Locke and Locomotive (Ray, north of York) Streets to the Ascension (Hamilton) Cemetery and from Main Street to the harbour. By the turn of the century, St. George's Church was an important institution within the thriving West End neighbourhood.

The period of major expansion for St. George's Church and Parish corresponds to the thirty-one year ministry of its third rector, Reverend Frederick E. Howitt, appointed in 1895 and made a canon in 1914. St. George's prominence within Hamilton's Anglican community may be largely attributed to his dedicated and inspirational service. As a gifted preacher and teacher, Canon Howitt attracted large audiences to regular services at St. George's and gave religious instruction to classes throughout the city. Moreover, Howitt's influence extended far beyond the local Anglican community through his work as a missionary and speaker across Canada and the United States.

Another prominent figure in the history of St. George's was its sixth rector, the Reverend Donald H. MacLennan (1941-1966), who made a substantial contribution to the missionary and religious education work begun by Canon Howitt and subsequently associated with St. George's.

Designated Features

Important to the preservation of St. George's Anglican Church are the original features of all four facades of the church, including the brick masonry walls and stone foundation, buttresses, belfry, pointed-arched windows with stone sills, the stained glass windows, doors; the interior sanctuary, including the walls, windows, interior roof trusses and original wood panelling; and all four exterior facades of the adjacent Sunday school, including walls, windows, and the interior open space with its classrooms and mezzanine.

The Corporation of the City of Hamilton

BY-LAW NO. 96-149

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1232 UPPER GAGE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District, modified,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10E.(7)(a)(i) of Zoning By-law No. 6593, not more than 7 single-family dwelling units shall be permitted; and,
- (b) notwithstanding Section 18A(14g) of Zoning By-law No. 6593, the required parking area may be located in a required front yard; and,
- (c) notwithstanding Section 18A(25) of Zoning By-law No. 6593, the access driveway shall be located not less than 1.5 m from the southerly side lot line, and not less than 1.5 m from the westerly rear lot line, for a distance not to exceed 3.0 m; and,

- (d) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the entire westerly rear lot line; and,
- (e) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height shall be provided and maintained along the entire southerly side lot line, while the adjacent lands are used for the purpose of the existing single family dwelling only.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1365.

5. Sheet No. E-38B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1365.

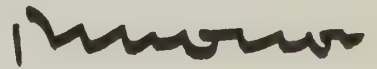
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *24th* day of *September*

A.D. 1996



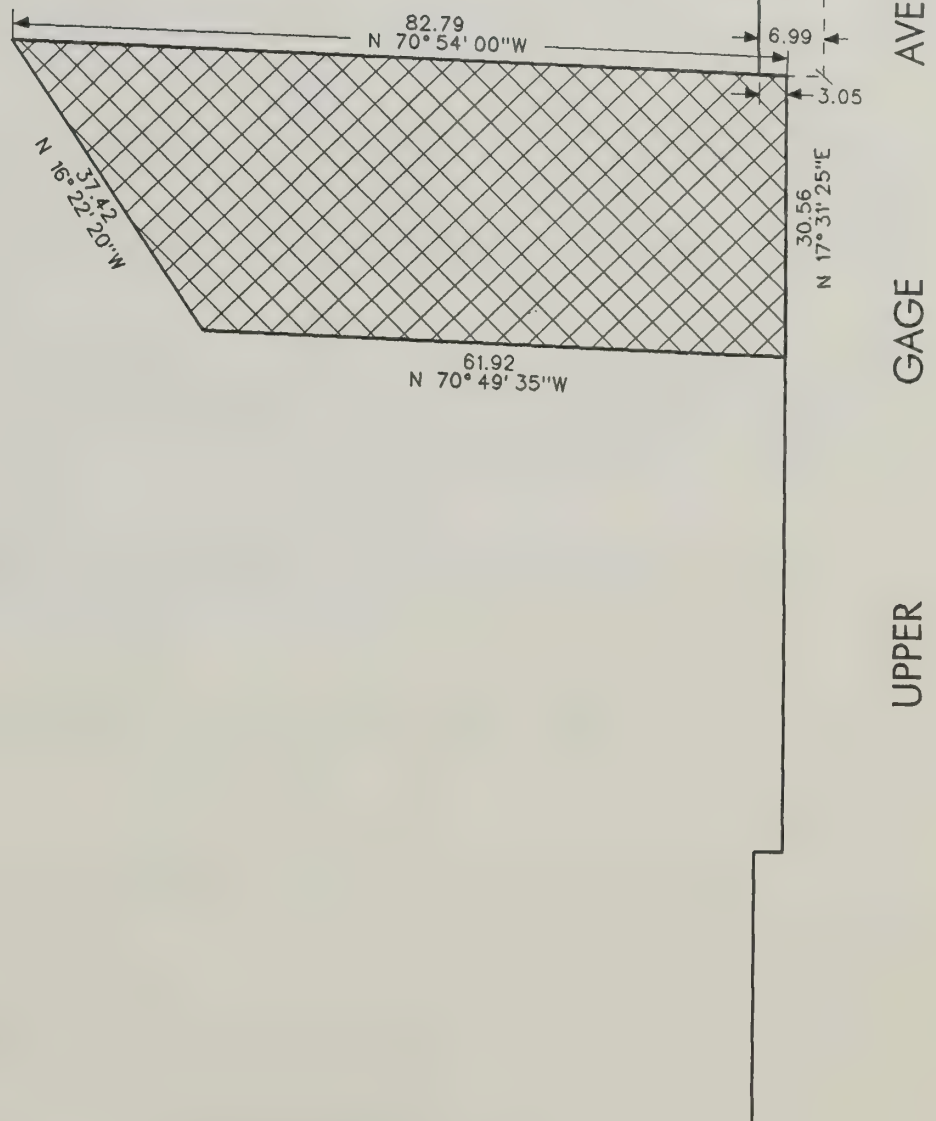
CITY CLERK

MAYOR

LIMERIDGE ROAD EAST

NORTHEAST CORNER OF
LOT 7, CONCESSION 7



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-149
Passed the 24 day of Sept., 1996.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A
Map Forming Part of
By-Law No. 96-149
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"C" (Urban Protected Residential,
etc.) District to: "RT-20" (Townhouse-
Maisonette) District, Modified.

North



Scale
Not to Scale

Date
September 1996

Reference File No.
ZAC-96-08

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96- 150

To Repeal By-law No. 94-129
To Adopt Official Plan Amendment No. 127

Respecting:

**LANDS LOCATED ON THE WEST SIDE OF WALNUT STREET,
NORTH OF FOREST AVENUE,
AND KNOWN MUNICIPALLY AS NO. 180 WALNUT STREET
WITHIN THE CORKTOWN NEIGHBOURHOOD**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-129 on the 26th day of July 1994 to adopt Official Plan Amendment No. 127 respecting lands located on the west side of Walnut Street, north of Forest Avenue, and known municipally as No. 180 Walnut Street within the Corktown Neighbourhood;

AND WHEREAS the Ontario Municipal Board, in its Decision dated the 14th day of August 1996, (Files No. O950106, R950001), did not approve Official Plan Amendment No. 127;

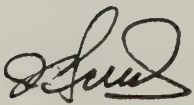
AND WHEREAS it is expedient to repeal By-law No. 94-129 as it is no longer applicable to the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 94-129 is hereby repealed.

PASSED this *24th* day of *September*

A.D. 1996



CITY CLERK



MAYOR

(1994) 10 R.P.D.C. 4A, June 28
Ontario Municipal Board Decision,
dated August 14, 1996
Ivo Civitarese et al, Owner
ZAC-94-03

The Corporation of the City of Hamilton

BY-LAW NO. 96- 151

To Adopt:

Official Plan Amendment No. 135

Respecting:

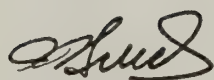
**LANDS BOUNDED BY SCENIC DRIVE, MOHAWK ROAD WEST,
MAGNOLIA DRIVE, RICE AVENUE AND SANATORIUM ROAD
WITHIN THE MOUNTVIEW NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

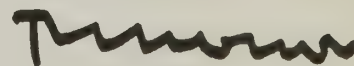
1. Amendment No. 135 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this *24th* day of *September*

A.D. 1996



CITY CLERK



MAYOR

Amendment No. 135
to the
City of Hamilton Official Plan

The following text, together with Schedules "A" and "J-1", attached hereto, constitutes Official Plan Amendment No. 135.

Purpose:

The purpose of this Amendment is to redesignate a portion of the vacant lands surrounding Chedoke Hospital situated within the Mountview and Westcliffe West Neighbourhoods from MAJOR INSTITUTIONAL to RESIDENTIAL and OPEN SPACE and to implement the Chedmac Planning Area Secondary Plan for these lands. The Chedmac Planning Area Secondary Plan provides more detailed policies and information to facilitate the appropriate development of this planning area.

Location:

The subject lands are bounded to the north by Scenic Drive, to the south by the existing residential development abutting Mohawk Road West, to the west by Magnolia Drive, and to the east by Rice Avenue and Sanatorium Road. The subject lands represent the Chedoke McMaster hospital lands and are generally centred within the Mountview Neighbourhood while a portion of these lands are situated within the Westcliffe West Neighbourhood. These lands comprise a total area of approximately 66 hectares (163 acres).

For the purpose of this Amendment, the lands subject to this Amendment are referred to as the *Chedmac Planning Area*. Schedules "A" and "J-1" attached to and forming part of this Amendment identify the location of the lands affected by this Amendment and provide the specific Land Use Plan for the subject *Chedmac Planning Area*.

Basis:

The City of Hamilton Official Plan designates all of the *Chedmac Planning Area* as MAJOR INSTITUTIONAL. Residential uses are permitted within this MAJOR INSTITUTIONAL designation; however, the Official Plan provides no further classification of residential development. In this regard, in order to define more specific residential densities and appropriately locate these defined residential densities in the *Chedmac Planning Area*, an amendment to the Official Plan is required.

The City of Hamilton is divided geographically into *Neighbourhoods*. Neighbourhood Plans function as land use guides in the City of Hamilton. In the past, the City of Hamilton has not formally adopted these Neighbourhood Plans as Official Plan Amendments. While these Neighbourhood Plans do not maintain the planning status of a Secondary Plan, they function as Secondary Plans in that they provide more specific land use designations and policies at a neighbourhood level.

Therefore, this Amendment is to redesignate a portion of the *Chedmac Planning Area* from MAJOR INSTITUTIONAL to RESIDENTIAL and formally implement the *Chedmac Planning Area Secondary Plan* through a Secondary Plan. In addition, in order to provide for an expansion to an existing park facility, part of these lands are to be redesignated to OPEN SPACE.

In this manner, this Amendment serves to provide more specific and detailed development policies for the *Chedmac Planning Area*, whereby development will ultimately proceed on the basis of approved plans of subdivision and subsequent zoning by-law amendments.

Through a proper planning process including the preparation, collection and analysis of pertinent planning documents, studies and background information; and input from the pertinent agencies and the public, the *Chedmac Planning Area Secondary Plan* was prepared. This Secondary Plan provides more detailed policies and information to refine and amplify the RESIDENTIAL Official Plan policies to facilitate the appropriate development of this Planning Area.

This Amendment can be supported on the basis that the average population density for the Mountview Neighbourhood, including the *Chedmac Planning Area* will not exceed ninety (90) persons per gross hectare, pursuant to the Official Plan; the proposed height, bulk and arrangement of buildings and structures will achieve a harmonious design and integrate with the surrounding area, pursuant to the Official Plan; the proposed housing types will contribute to a desirable mix of housing in the Neighbourhood; the Amendment is in compliance with the policies of the City of Hamilton Official Plan; the proposed form of development is compatible with the adjacent Neighbourhood Plan designations; and the Amendment implements the *Chedmac Planning Area Secondary Plan*.

Actual Changes:

- 1) Schedule "A" - Land Use Concept of the City of Hamilton Official Plan is hereby amended by changing the land use designation for part of the vacant lands surrounding Chedoke Hospital generally located north of Mohawk Road West and west of Upper Paradise, and as more particularly shown on the attached Schedule "A", from MAJOR INSTITUTIONAL to RESIDENTIAL and OPEN SPACE.
- 2) The City of Hamilton Official Plan is hereby amended by adding the attached Schedule B, to be incorporated at Schedule "J-1" - Chedmac Planning Area Secondary Plan, to the official Plan.

3) The text of the City of Hamilton Official Plan is hereby amended as follows:

- (a) Section D.2 - Planning Units and Neighbourhood Plans is hereby amended by adding the following policy:

"D.2.12 Where Council deems appropriate, Secondary Plans to this Official Plan may be established for planning units. Secondary Plans will be incorporated into Section A.6 of this Plan."

- (b) Policy D.8.2 is hereby amended to include Schedule "J-1" in the first sentence so that the entire clause reads as follows:

"The boundaries between the classes of land use designated on Schedule "A" by patterned areas, as well as any other boundaries indicated on Schedules "B", "B-1", "B-2", "B-3", "C", "D", "F", "G", "H", and "J-1" are only intended to be general and not to define the exact limits of any land use or policy".

- (c) Section A - LAND USE AND MANAGEMENT STRATEGY is hereby amended by adding a new Subsection A.6 - Secondary Plans which shall read as follows:

"Section A.6 - Secondary Plans

It is intended that, where appropriate, Council will adopt Secondary Plans to this Official Plan that provide specific details with respect to the type and density of development, road patterns, and servicing. The Secondary Plans are attached as Schedule "J" (and its components to this plan); specific policies are detailed in this Subsection.

6.1 Chedmac Planning Area

For those lands shown on Schedule "J-1" - Chedmac Planning Area Secondary Plan, generally located north of Mohawk Road West and west of Upper Paradise, the following objectives and policies shall apply.

6.1.1 Objectives

The following Objectives constitute the fundamental guidelines which shall direct the development of the *Chedmac Planning Area*:

- i) To create residential areas consisting of a range of housing types and densities to satisfy a range of housing needs;
- ii) To provide a variety of housing at a range of prices including affordable residential units;

- iii) To ensure future residential and institutional development considers and is sensitive to surrounding existing residential development;
- iv) To integrate the residential areas with parkland in order to provide a convenient, safe and visually pleasing living environment;
- v) To recognize and support Chedoke-McMaster Hospitals as a Community and Regional health facility;
- vi) To establish a focus within the interior of the *Chedmac Planning Area* consisting of recreational and health service facilities;
- vii) To encourage the concentration of existing and future Chedoke-McMaster health service facilities in a comprehensive "campus-like" setting;
- viii) To provide sufficient lands for the future needs of Chedoke-McMaster Hospitals to satisfy the changing health needs of the Community and Region;
- ix) To provide additional parkland for existing and future Mountview Neighbourhood residents;
- x) To ensure an open space linkage is provided from the existing residential development to the *Chedmac Planning Area* interior focus, and from existing residential development to new residential development;
- xi) To develop an efficient, practical and safe road system to accommodate the movement of people within the *Chedmac Planning Area* and the surrounding Mountview Neighbourhood;
- xii) To minimize traffic through existing residential development;
- xiii) To provide for the extension of Chedmac Drive as the principal collector road within the *Chedmac Planning Area* including the redesign of the pertinent intersections;
- xiv) To minimize through traffic through the Chedoke-McMaster Hospital lands;

- xv) To ensure that no direct road access (either private or public) is permitted to Magnolia Drive from Chedmac Drive;
- xvi) To ensure that Miller Avenue and Beamis Avenue are not extended into the *Chedmac Planning Area*;
- xvii) To provide sufficient off-street parking facilities for multiple residential development; and,
- xviii) To provide Chedoke-McMaster Hospitals and new development with adequate full municipal services including sanitary sewers, watermains, stormwater drainage facilities and utilities, in a coordinated, comprehensive and environmentally sound manner.

6.1.2 Policies

i) *Residential*

The majority of the vacant lands within the *Chedmac Planning Area* shall be developed for low and medium density residential purposes. Lands designated RESIDENTIAL within the *Chedmac Planning Area* shall be developed in accordance with the attached Schedule "J-1" - Chedmac Planning Area Secondary Plan, Subsection A.2.1 - Residential Uses and C.7 - RESIDENTIAL ENVIRONMENT AND HOUSING POLICY of this Plan, and the following specific policies:

- a) The housing types and density of development shall be in accordance with the following:
 - (1) Within each residential density designation, the Zoning By-law will restrict the use of any site to the dwelling unit types permitted within that designation. Such restrictions will be implemented to preserve the character of the neighbourhood and compatibility of dwelling unit types with surrounding existing and proposed land uses.
 - (2) *Low Density Residential* development shall consist of single detached units at a maximum gross residential density of 18 units per gross hectare (7.2 units per gross acre). Low density residential development

shall be located adjacent to existing low density residential development situated in the most northern portion of the *Chedmac Planning Area* and adjacent to Magnolia Drive.

- (3) *Medium Density Residential* development shall be comprised of a variety of multiple dwelling unit types including townhouse dwellings, stacked townhouse dwellings and apartment dwelling units. The density range for medium density residential development shall be 30 to 100 units per gross hectare (12 to 40 units per gross acre). Medium Density residential development shall be defined as either *Medium Density I* or *Medium Density II*. All medium density residential development shall be subject to site plan control.
 - (4) *Medium Density I* residential development shall consist of townhouse dwelling units at a gross residential density of 30 units per gross hectare (12 units per gross acre).
 - (5) *Medium Density II* residential development shall consist of townhouse dwelling units, stacked townhouse dwelling units or a retirement home to a maximum height of 6 storeys. The maximum density permitted shall be 60 units per gross hectare (24 units per gross acre).
- b) The lands designated *Low Density Residential* abutting existing residential development at the northern limit of *Chedmac Planning Area* shall not exceed a maximum density of 14 units per gross hectare (5.5 units per gross acre). The minimum lot frontage for these lands shall not be less than 15 metres. It is intended that no direct vehicular access from these lands to the abutting residential development fronting San Pedro Drive will be provided.

- c) Residential development shall be located to ensure a gradation of residential densities.
- d) Residential development adjacent to existing MAJOR INSTITUTIONAL facilities may be subject to a noise study.

ii) *Major Institutional*

It is intended that Chedoke-McMaster Hospitals be recognized as a valuable Community and Regional health facility. In accordance with the attached Schedule "J-1" - Chedmac Planning Area Secondary Plan, Subsection A.2.6 -Major Institutional Uses of this Plan and the following policies:

- a) New major institutional health related facilities shall be designed to facilitate a comprehensive campus-like setting.
- b) New major institutional recreational facilities shall be designed in a comprehensive manner with existing recreational facilities.
- c) The development of any new institutional facilities associated with Chedoke-McMaster Hospitals shall be designed to mitigate any negative impact on adjacent residential development.

iii) *Parkland*

- a) The existing municipal parklands adjacent to the *Chedmac Planning Area* situated within the Mountview Neighbourhood shall be expanded to include the lands designated Parkland on the attached Schedule "J-1" - Chedmac Planning Area Secondary Plan, to satisfy the parklands needs of the *Chedmac Planning Area* and the Mountview Neighbourhood.
- b) The expanded parkland shall provide an open space linkage from the existing neighbourhood to the recreational facilities located within the *Chedmac Planning Area*.

iv) *Transportation*

It is intended that a safe and efficient road network be established in the *Chedmac Planning Area* in accordance with the attached Schedule "J-1" - Chedmac Planning Area Secondary Plan, Subsection B.3 - CIRCULATION AND MOVEMENT SYSTEM of this Plan and the following policies:

- a) The public road system will provide an efficient, practical and safe pattern to accommodate the movement of people within the *Chedmac Planning Area*.
- b) It is intended that the design of the internal public road system in the *Chedmac Planning Area*, as shown on the attached Schedule "J-1" - Chedmac Planning Area Secondary Plan shall be used as a guideline, and as such, some flexibility regarding the final alignment of the internal public roads is permitted.
- c) It is intended that Chedmac Drive be established as the collector road to access existing and new development within the *Chedmac Planning Area*.
- d) It is intended that Chedmac Drive will function as a road around those lands designated MAJOR INSTITUTIONAL connecting Rice Avenue to Scenic Drive and facilitating the function and operation of the Chedoke-McMaster Hospitals as a separate and distinct facility.
- e) It is intended that Rice Avenue and Chedmac Drive will be designed to provide a more efficient and desirable transportation system, pursuant to Schedule "J-1" - Chedmac Planning Area Secondary Plan.
- f) No direct vehicular access will be permitted from block townhouse/apartment development to Chedmac Drive. Access will be provided via a local road as shown on Schedule "J-1" - Chedmac Planning Area Secondary Plan.

- g) The intersections of Rice Avenue and Chedmac Drive, and Chedmac Drive and Sanatorium Road shall be redesigned to provide a more efficient and safe access to Chedmac Drive, while discouraging through traffic from Scenic Drive and Sanatorium Road.
- h) No direct road access from Chedmac Drive to Magnolia Drive shall be permitted.
- i) The extension of Miller Avenue and Beamis Avenue through to the *Chedmac Planning Area* shall not be permitted.
- j) Development may be subject to traffic studies, as required.
- v) *Engineering Services*

Engineering Services within the *Chedmac Planning Area* shall be provided in accordance with Subsection B.2 - ENGINEERING SERVICES of this Plan and the following specific policies:

- a) Design for stormwater management will ensure that the stability of the Escarpment Brow and Escarpment slopes and the quality and quantity of Escarpment streams and water supplies are not endangered.
- b) Stormwater detention ponds shall be designed as off-stream devices, to operate under major storm conditions as part of a stormwater management plan. The stormwater management plan will include remedial works to stabilize the existing radial right-of-way culvert.
- c) Development within the *Chedmac Planning Area* shall not proceed until such time as an overall stormwater management report has been prepared to the satisfaction of the appropriate agencies.
- d) A storm water detention pond shall be established in the *Chedmac Planning Area* in accordance with the attached Schedule "J-1" - Chedmac Planning Area

Secondary Plan. Lands required for the storm water detention pond shall be dedicated to the City of Hamilton by the developer."

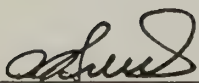
Notwithstanding Subsection A.2.1, the area west of the Stormwater Detention Pond as shown on Schedule "J-1", approximately 1.5 hectares in size, will only be used for residential purposes in accordance with Policy A.6.1.2i)a)ii) upon being deemed, by the Regional Municipality of Hamilton-Wentworth, not necessary for inclusion within the Stormwater Detention Pond.

Implementation:

This Amendment will be implemented by the *Chedmac Planning Area Secondary Plan* and an amendment to the Mountview Neighbourhood Plan. This Amendment will be further implemented through the City's Comprehensive Zoning By-law No. 6593, subdivision control and site plan control.

This is Schedule "1" to By-law No. ~~96-151~~ passed on the 24 day of Sept. , 1996.

The Corporation of the
City of Hamilton



City Clerk



Mayor



Chedmac Planning Area Secondary Plan

AREA	REFER TO POLICY
Area 1	A.6.1.2(V)
Area 2	A.6.1.2(I)
Area 3	A.6.1.2(I)
Area 4	A.6.1.2(III)
Area 5	A.6.1.2(I)
Area 6	A.6.1.2(I)
Area 7	A.6.1.2(II)

Legend

Land Use Designations

-  Low Density Residential
-  Medium Density Residential I
-  Medium Density Residential II
-  Park and Open Space
-  Stormwater Pond
-  Institutional

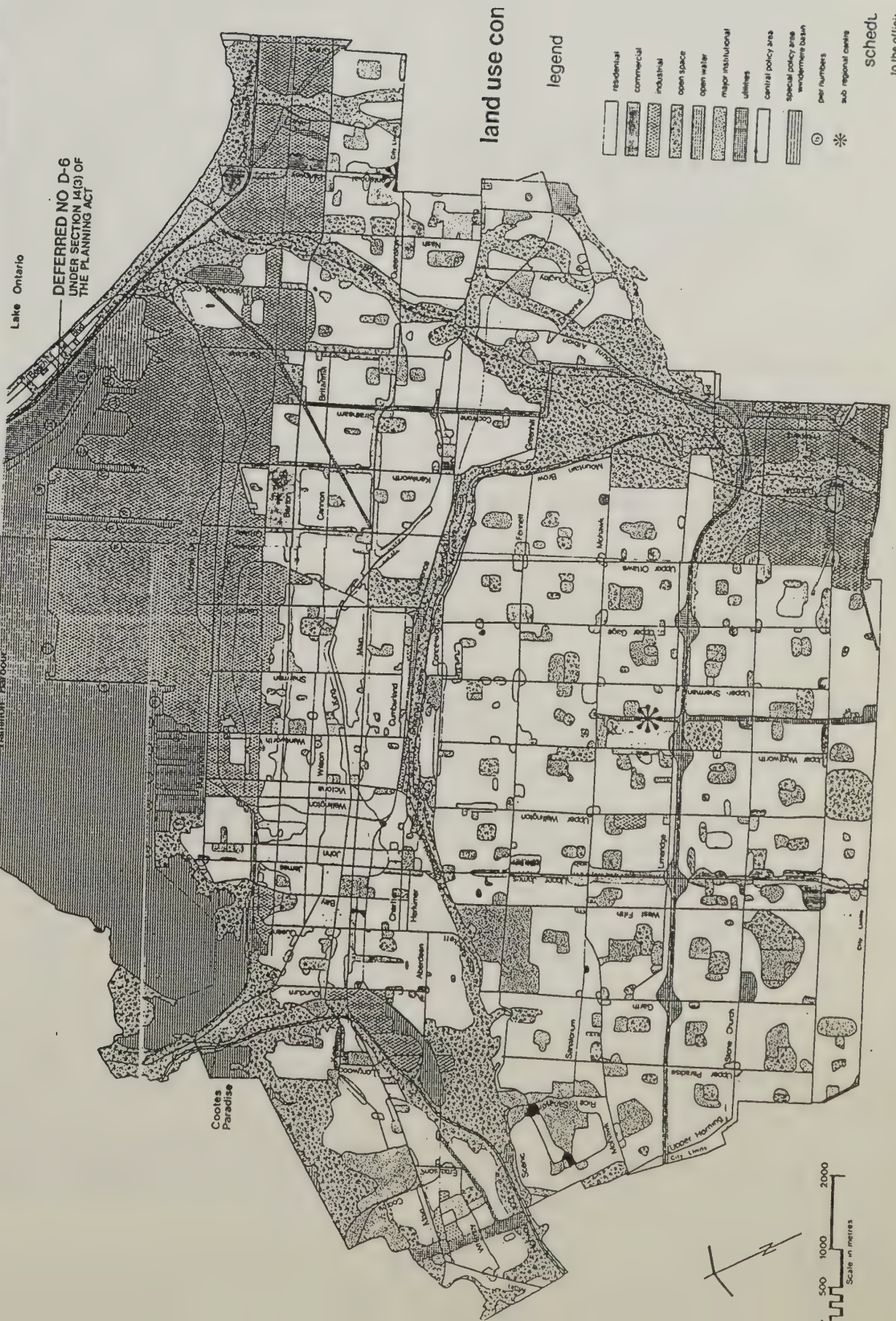
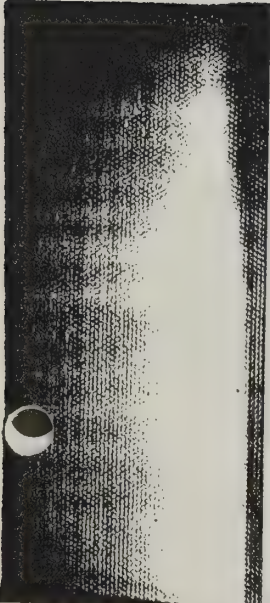
--- Secondary Plan Boundary

96-151

schedule J-1

to the official plan
for
the city of Hamilton

August 06 1996



to the official
the city of ham

The Corporation of the City of Hamilton

BY-LAW NO. 96-152

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS BOUNDED BY RICE AVENUE, MOHAWK ROAD WEST,
MAGNOLIA DRIVE, AND SCENIC DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 135, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-36 and W-37 of the District Maps, appended to and forming part of By-law No. 6593, are amended,
 - (a) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreation) District, the land comprised in Block 1;
 - (b) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2;
 - (c) by changing from "AA" (Agricultural) District to "RT-20" - 'H' (Townhouse - Maisonette - Holding) District, the land comprised in Block 3;
 - (d) by changing from "AA" (Agricultural) District to "DE-3" - 'H' (Multiple Dwellings - Holding) District, the land comprised in Block 4; and
 - (e) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "AA" (Agricultural) District, the land comprised in Block 6,

the extent and boundaries of each of which Blocks 1, 2, 3, 4, 5 and 6 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E. of Zoning By-law No. 6593, applicable to the lands comprised in Block 3 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10E.(3) of Zoning By-law No. 6593, no building or structure shall exceed one and one-half (1 1/2) storeys and 9.5 m (31.16 feet) in height;
- (b) notwithstanding Section 10E.(2) of Zoning By-law No. 6593, a community centre with a capacity of not greater than sixty persons, only to be used in conjunction with and accessory to the principal use shall be permitted.

3. The "DE-3" (Multiple Dwellings) District provisions, as contained in Section 10C. of Zoning By-law No. 6593, applicable to the lands comprised in Block 4 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10C.(1) of Zoning By-law No. 6593, only one of the following uses shall be permitted:
 - (i) a Home for Elderly Persons, restricted to housekeeping units with or without culinary space, in a building of not greater than six storeys in height; or
 - (ii) townhouse dwelling units subject to Section 10E. of Zoning By-law No. 6593 and the provisions of Section 2(a) of this by-law;
- (b) in addition to the permitted use specified in Section 3.(a)(i) of this by-law, an amenity centre of not less than 500 square metres, accessory to the residential use specified in Section 3.(a)(i) of this by-law, shall be required,
 - (i) for the purposes of this by-law, "Amenity Centre" shall include one or more of the following uses:
 1. Administrative offices;
 2. Chapel;
 3. Library;
 4. Activity and Exercise rooms;
 5. Lounges;
 6. Dining Room;
 7. Variety store;
 8. Hairdresser;
 9. Barber Shop.

4. The "AA" (Agricultural) District provisions, as contained in Section 7A. of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 5 and 6, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 7A.(1) of By-law No. 6593, only the following uses shall be permitted:
 - (i) a public and private hospital and accessory uses thereto;
 - (ii) a day nursery;

- (iii) a public parking lot in accordance with the regulations of Section 13C. of Zoning By-law No. 6593;
 - (iv) a residential care facility for not greater than 40 persons;
 - (v) a sanatorium;
 - (vi) medical offices;
 - (vii) laboratory;
- (b) notwithstanding Section 7A.(2) of Zoning By-law No. 6593, the following height restrictions shall apply:
- (i) except as provided in clause (b)(ii), where a building or structure is distant not greater than 30.0 metres from a Residential District as specified in Section 2.(2)A of Zoning By-law No. 6593, the height of a building or structure shall not exceed three storeys;
 - (ii) where a building or structure is distant not less than 30.0 metres from a Residential District as specified in Section 2.(2)A of Zoning By-law No. 6593, the height of a building or structure shall not exceed six storeys;
- (c) Section 18.(2)(iia) of Zoning By-law No. 6593 shall not apply to Blocks 5 and 6.

5. (a) The 'H' symbol referred to in section 1.(b) shall be removed conditional upon the following being fulfilled:

- (i) servicing is available for the subject lands to the satisfaction of the Manager of Development, Development Division, Regional Environment Department; and,
- (ii) approval of a draft plan of subdivision has been granted by the Regional Municipality of Hamilton-Wentworth.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1.(b) may at such time proceed in accordance with the "C" District provisions.

6. (a) The 'H' symbols referred to in section 1.(c) and 1.(d) shall be removed conditional upon the following being fulfilled:

- (i) servicing is available for the subject lands to the satisfaction of the Manager of Development, Development Division, Regional Environment Department; and,
- (ii) completion of noise mitigation measures, to the satisfaction of the Ministry of Environment and Energy, to address noise generated from the hospital laundry facility.

(b) The 'H' symbols shall be removed by amendment to this by-law and the development of the lands referred to in section 1.(c) and 1.(d) may at such time proceed in accordance with the "RT-20" District and "DE-3" District provisions, subject to the special requirements referred to in sections 2 and 3 of this by-law.

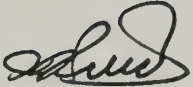
7. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "AA" District, "C" District, "DE-3" District and "RT-20" District provisions, subject to the special requirements referred to in sections 2, 3, 4, 5 and 6.

8. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1363.

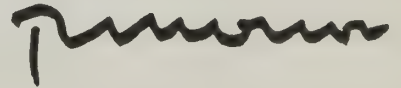
9. Sheets No. W-36 and W-37 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1363.

10. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

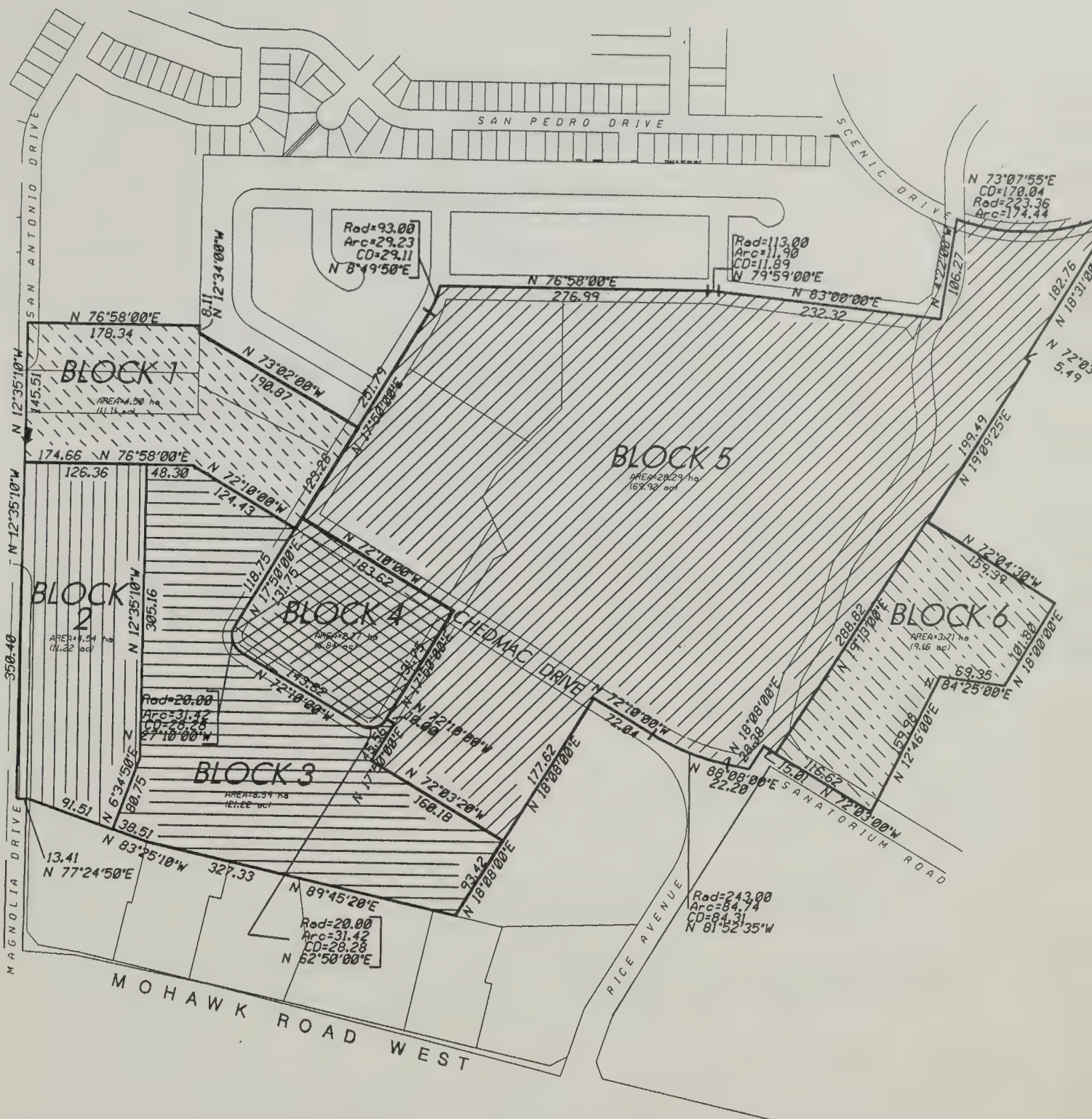
PASSED this *24th* day of *September* A.D. 1996



CITY CLERK

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-152
Passed the 24th day of Sept., 1996.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 96-152

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning:

BLOCK 1

BLOCK 2

BLOCK 3

BLOCK 4

BLOCK 5

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

BLOCK 6

From "AA" (Agricultural) District to "A" (Conservation, Park, Recreation and Open Space) District

From "AA" (Agricultural) District to "C" - "H" (Urban Protected Residential, etc. - Holding) District

From "AA" (Agricultural) District to "RT-20" - "H" (Townhouses - Maisonette - Holding) District, modified

From "AA" (Agricultural) District to "DE-3" - "H" (Multiple Dwellings - Holding) District, modified

Modification to the established "AA" (Agricultural) District regulations

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

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From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

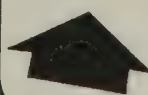
From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

From "B" (Suburban Agricultural and Residential) District to "AA" (Agricultural) District, modified

North



Scale

NOT TO SCALE

Date

August 1996

Reference File No.

OPA 135

Drawn By

W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 96- 153

To Establish:

Site Plan Control

Respecting:

**LANDS BOUNDED BY RICE AVENUE, MOHAWK ROAD WEST,
MAGNOLIA DRIVE, AND SCENIC DRIVE**

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

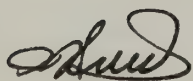
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

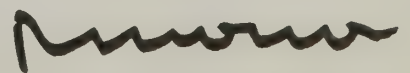
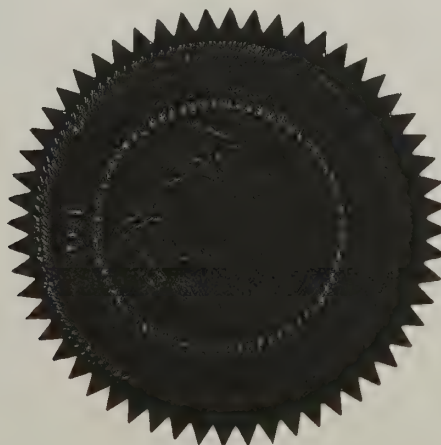
159. Lands bounded by Rice Avenue, Mohawk Road West, Magnolia Drive, and Scenic Drive, shown on Appendix 159 hereto annexed and forming part of this by-law.
2. Appendix 159 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 24th day of September

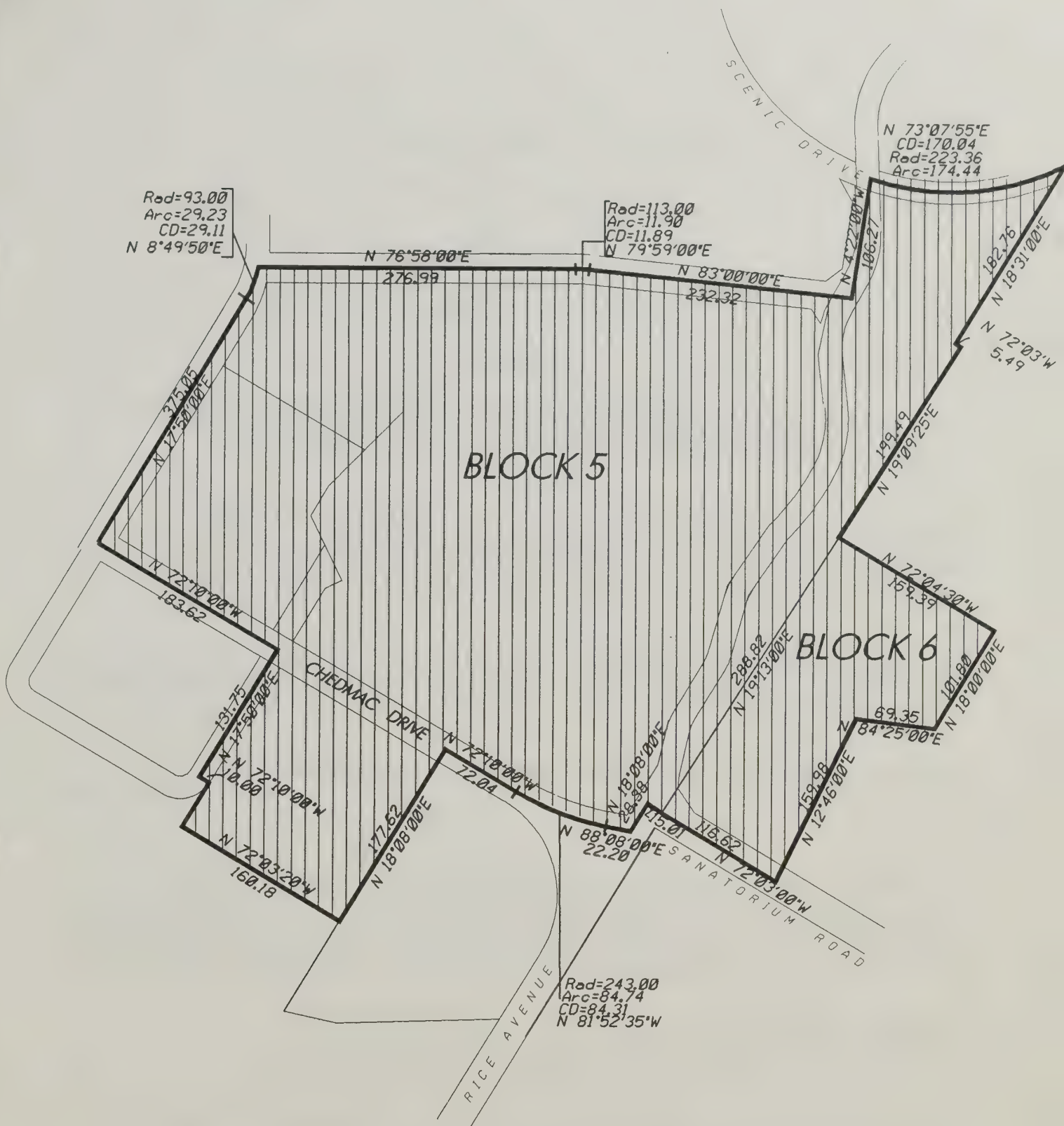
A.D. 1996



CITY CLERK



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-153
Passed the 24th day of September 1996.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Appendix 159

to By-Law No. 79-275
to Amend By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control pursuant
to section 41 of the Planning Act,
R.S.O., 1990

North



Scale
NOT TO SCALE

Date
August 1996

Reference File No.

OPA 135

Drawn By

W. B.

The Corporation of the City of Hamilton

BY-LAW NO. 96- 154

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE NORTH SIDE OF BARTON STREET EAST,
EAST OF MUNICIPAL NO. 244 LAKE AVENUE NORTH**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

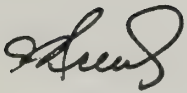
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "A" (Conservation, Open Space, Park and Recreation) District provisions, as contained in Section 7. of Zoning By-law No. 6593, applicable to the lands comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
 - (a) Notwithstanding Section 7.(1) of Zoning By-law No. 6593, a parking area only as an accessory use to the permitted uses at No. 244 Lake Avenue North, shall be permitted; and,
 - (b) Sections 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to a parking area accessory to a permitted use at No. 244 Lake Avenue North.
2. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A. of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that:
 - (a) Notwithstanding Section 16A.(1) of Zoning By-law No. 6593, a parking area only as an accessory use to the permitted uses at No. 244 Lake Avenue North, shall be permitted.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District and "JJ" District provisions, subject to the special requirements referred to in sections 1 and 2, respectively.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1369.

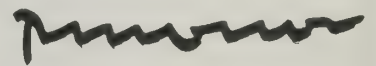
5. Sheet No. E-113 of the District Maps, appended to and forming part of By-law No. 6593, is amended by marking the lands referred to in section 1. and 2. of this by-law, S-1369.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th day of September A.D. 1996.

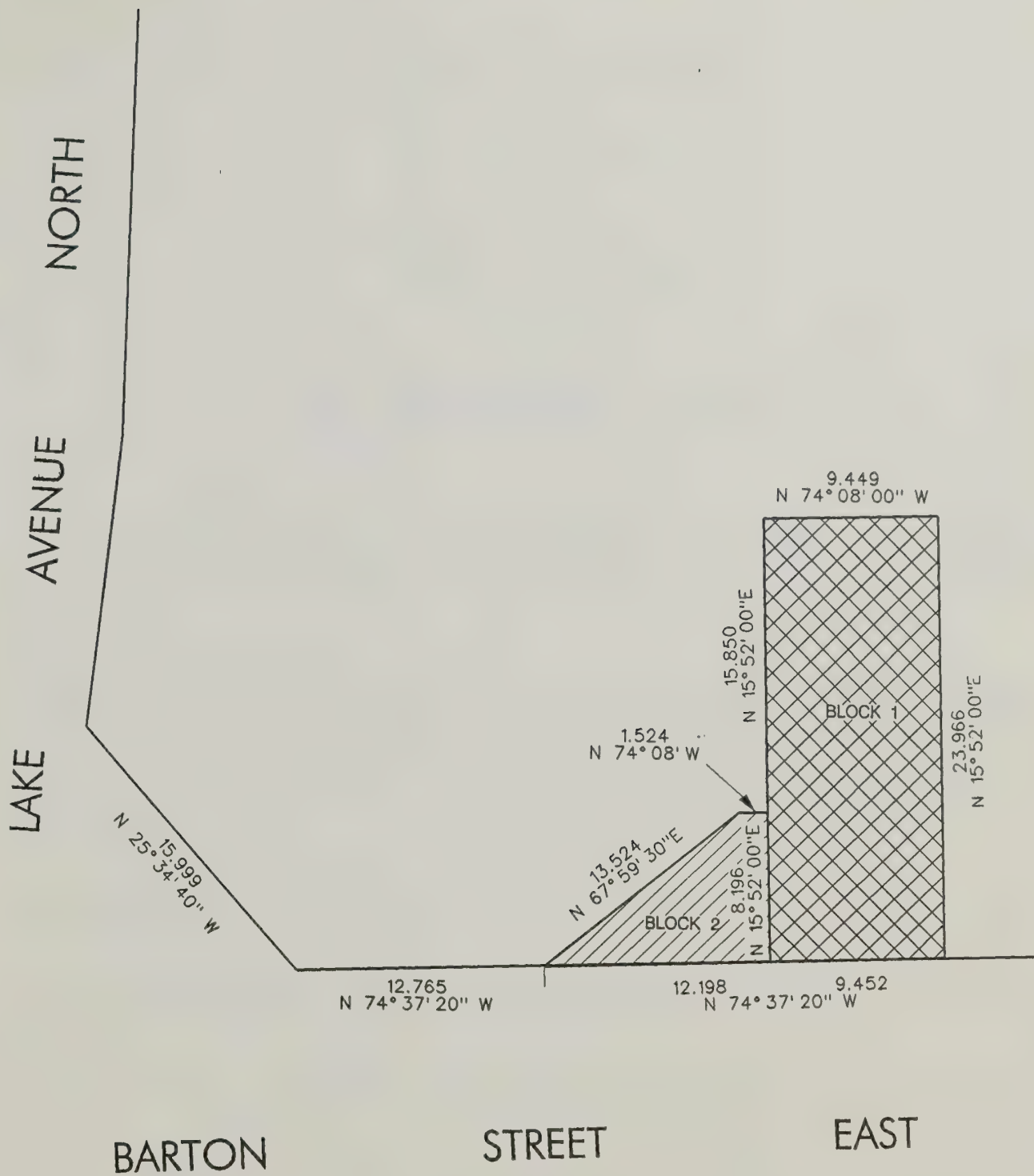


CITY CLERK



MAYOR

(1996) 14 R.P.D.C. 2 , September 24
Richter, E.L., lessee
Amended ZAR-96-10



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-154
Passed the24... day of ...Sept....., 1996.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

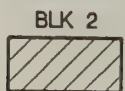
Map Forming Part of
By-Law No. 96-154...
to Amend By-Law No. 6593

Legend

Modification to the established:



"A" (Conservation, Open Space,
Park and Recreation) District.



"JJ" (Restricted Light Industrial) District.

North



Scale
Not to Scale

Date
September 1996

Reference File No.
ZAC-96-10

Drawn By
RI

The Corporation of the City of Hamilton

BY-LAW NO. 96 - 155

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF SANATORIUM ROAD
AND NORTH OF CHEDMAC DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 135, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by the Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

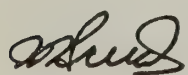
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W-36 and W-37 of the District Maps, appended to and forming part of By-law No. 6593, are amended,
 - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block 1;
 - (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block 2;
 - (c) by changing from "AA" (Agricultural) District to "A" (Conservation, Open Space, Park and Recreational) District, the lands comprised in Blocks 3 and 4;

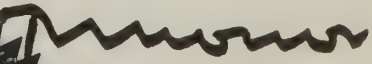
the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

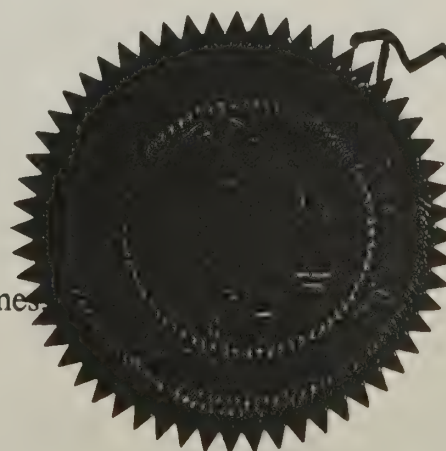
PASSED this 24th day of September A.D. 1996

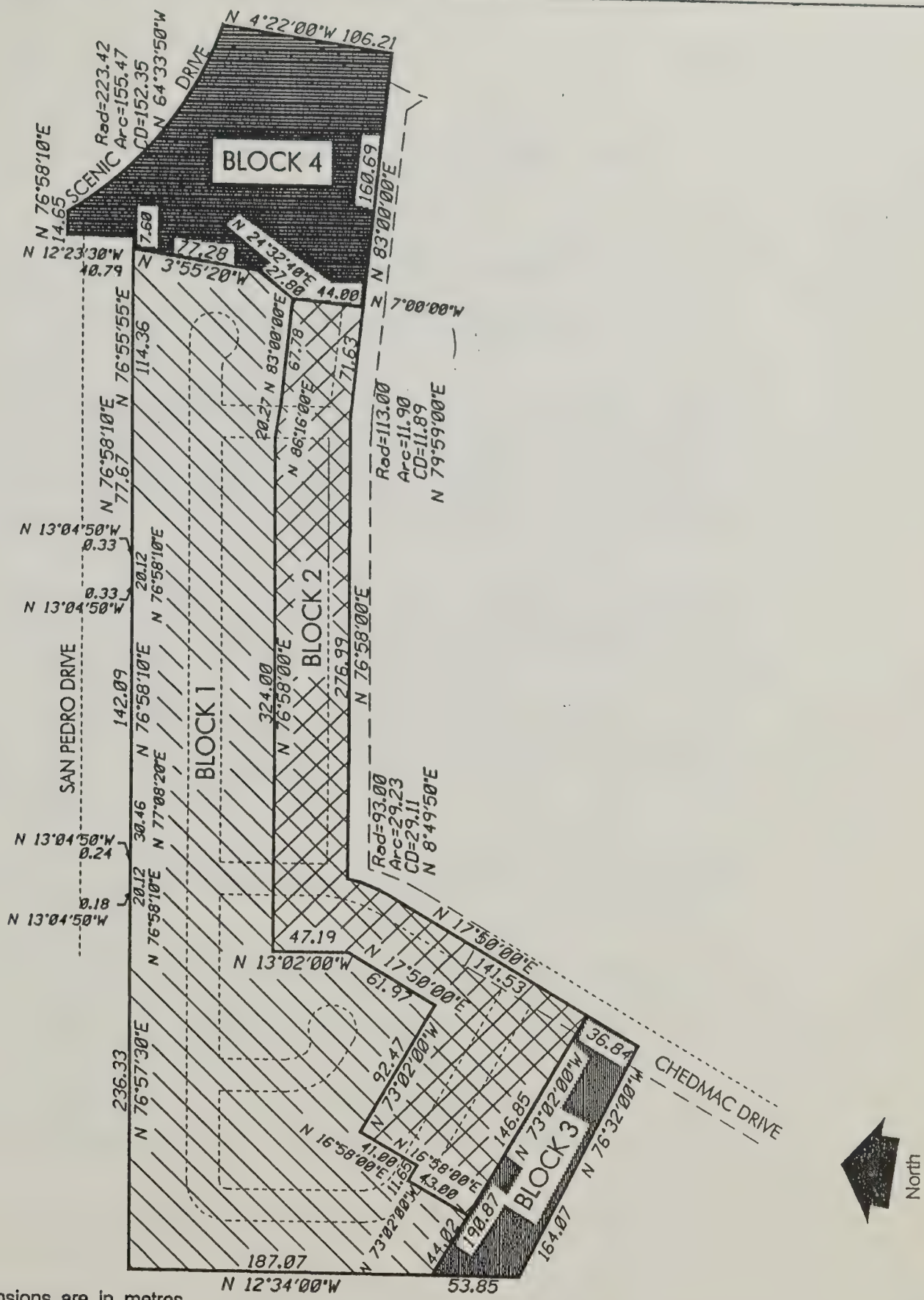


CITY CLERK


MAYOR

(1996) 15 R.P.D.C. 1, September 24
Chedoke Health Corporation and Starward Homes
Owner and Prospective owner
Amended ZAC-94-19





NOTE: All dimensions are in metres Not to Scale

This is Schedule "A" to By-Law No. 96-155
 Passed the 24th day of Sept., 1996.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 96-155
 to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning from:

-  BLOCK 1 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District
-  BLOCK 2 "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Dwelling) District
-  BLOCK 3 & 4 "AA" (Agricultural) District to "A" (Conservation, Park, Recreation and Open Space) District

Drawn By W. B.	Date September 1996	Reference File No. ZAC-94-19
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THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-156

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

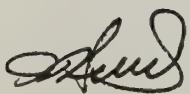
- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
- (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
- (c) that any person may pay the Cancellation Price at any time.
- (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
- (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this *24th* day of *September* 1996, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	482 KING WILLIAM STREET	
	SERIAL NUMBER	03 02135 4200	
	BRIEF LEGAL DESCRIPTION	PLAN 43 PT LOT 17, PT LOT 18	
	DATE OF REGISTRATION	27 NOVEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM221845	
	REDEMPTION DATE	27 NOVEMBER 1996	
	TOTAL ARREARS		\$9,286.13
B)	PROPERTY ADDRESS	486 CANNON STREET EAST	
	SERIAL NUMBER	03 02365 0610	
	BRIEF LEGAL DESCRIPTION	PLAN 158 PT LOT 24 PT LOT 25	
	DATE OF REGISTRATION	27 NOVEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM221848	
	REDEMPTION DATE	27 NOVEMBER 1996	
	TOTAL ARREARS		\$7,943.22
C)	PROPERTY ADDRESS	51 FULLERTON AVENUE	
	SERIAL NUMBER	03 02370 5850	
	BRIEF LEGAL DESCRIPTION	PLAN 367, PT LOT 15, PT LOT 16	
	DATE OF REGISTRATION	27 NOVEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM221849	
	REDEMPTION DATE	27 NOVEMBER 1996	
	TOTAL ARREARS		\$5,917.33
D)	PROPERTY ADDRESS	746 RYMAL ROAD EAST	
	SERIAL NUMBER	06 07610 1120	
	BRIEF LEGAL DESCRIPTION	CON 1 PT LOT 11 GL HAM	
	DATE OF REGISTRATION	4 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	LT395163	
	REDEMPTION DATE	4 DECEMBER 1996	
	TOTAL ARREARS		\$33,892.44
E)	PROPERTY ADDRESS	61 FULLERTON AVENUE	
	SERIAL NUMBER	03 02370 6000	
	BRIEF LEGAL DESCRIPTION	PLAN 367 PT LOT 18 PT LOT 19	
	DATE OF REGISTRATION	4 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222473	
	REDEMPTION DATE	4 DECEMBER 1996	
	TOTAL ARREARS		\$8,548.49
F)	PROPERTY ADDRESS	198 JULIAN AVENUE	
	SERIAL NUMBER	05 03820 8750	
	BRIEF LEGAL DESCRIPTION	PLAN 534 LOT 137 PT LOT 136	
	DATE OF REGISTRATION	7 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222650	
	REDEMPTION DATE	7 DECEMBER 1996	
	TOTAL ARREARS		\$8,880.58
G)	PROPERTY ADDRESS	229 KENILWORTH AVENUE NORTH	
	SERIAL NUMBER	04 03155 5400	
	BRIEF LEGAL DESCRIPTION	PLAN 395, BLK 2 LOT 46 TO LOT 48	
	DATE OF REGISTRATION	8 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222739	
	REDEMPTION DATE	8 DECEMBER 1996	
	TOTAL ARREARS		\$139,022.05

H)	SERIAL NUMBER	03 02155 3460	
	BRIEF LEGAL DESCRIPTION	RP1433, PT LOTS 24 & 25	
	DATE OF REGISTRATION	18 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM223221	
	REDEMPTION DATE	18 DECEMBER 1996	
	TOTAL ARREARS		\$9,687.72
I)	PROPERTY ADDRESS	861 QUEENSDALE AVENUE EAST	
	SERIAL NUMBER	06 06250 6840	
	BRIEF LEGAL DESCRIPTION	PLAN 775 PT LOT 19 PT LOT 20 PT LOT 21	
	DATE OF REGISTRATION	18 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	LT396121	
	REDEMPTION DATE	18 DECEMBER 1996	
	TOTAL ARREARS		\$10,401.26
J)	PROPERTY ADDRESS	1 AGNES STREET	
	SERIAL NUMBER	04 03145 1050	
	BRIEF LEGAL DESCRIPTION	PLAN 395 BLK G PT LOTS 26 27 & 28	
	DATE OF REGISTRATION	18 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM223213	
	REDEMPTION DATE	18 DECEMBER 1996	
	TOTAL ARREARS		\$7,414.75
K)	PROPERTY ADDRESS	305 JACKSON STREET WEST	
	SERIAL NUMBER	01 00940 2630	
	BRIEF LEGAL DESCRIPTION	SURVEY J MILLS BLK W RANGE 2 PT LOT 13	
	DATE OF REGISTRATION	27 NOVEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM221851	
	REDEMPTION DATE	27 NOVEMBER 1996	
	TOTAL ARREARS		\$6,077.07
L)	PROPERTY ADDRESS	133 BIRCH AVENUE	
	SERIAL NUMBER	03 02345 2840	
	BRIEF LEGAL DESCRIPTION	PLAN 560 PT LOT 49 PT LOT 50	
	DATE OF REGISTRATION	27 NOVEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM221846	
	REDEMPTION DATE	27 NOVEMBER 1996	
	TOTAL ARREARS		\$8,605.48
M)	PROPERTY ADDRESS	29 CUMBERLAND AVENUE	
	SERIAL NUMBER	03 02410 5550	
	BRIEF LEGAL DESCRIPTION	PLAN 433 PT LOT 24	
	DATE OF REGISTRATION	4 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222477	
	REDEMPTION DATE	4 DECEMBER 1996	
	TOTAL ARREARS		\$8,891.54
N)	PROPERTY ADDRESS	30 LINDEN STREET	
	SERIAL NUMBER	04 02855 6860	
	BRIEF LEGAL DESCRIPTION	PLAN 414 LOT 14 LOT 13 PT LOT 12	
	DATE OF REGISTRATION	4 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222476	
	REDEMPTION DATE	4 DECEMBER 1996	
	TOTAL ARREARS		\$52,689.74
O)	PROPERTY ADDRESS	49 FRANCIS STREET	
	SERIAL NUMBER	03 02220 5310	
	BRIEF LEGAL DESCRIPTION	PLAN 209 PT LOT 75	
	DATE OF REGISTRATION	7 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM222649	
	REDEMPTION DATE	7 DECEMBER 1996	
	TOTAL ARREARS		\$6,372.09

P)	PROPERTY ADDRESS	707 RENNIE STREET	
	SERIAL NUMBER	05 05010 1210	
	BRIEF LEGAL DESCRIPTION	PLAN 616 LOT 88	
	DATE OF REGISTRATION	18 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM223215	
	REDEMPTION DATE	18 DECEMBER 1996	
	TOTAL ARREARS		\$11,632.76
Q)	PROPERTY ADDRESS	16 HOLLYWOOD AVENUE NORTH	
	SERIAL NUMBER	01 00320 0700	
	BRIEF LEGAL DESCRIPTION	PLAN 467 LOT 342 PT LOT 341 & 343	
	DATE OF REGISTRATION	21 AUGUST 1996	
	INST # OF TAX ARREARS CERTIFICATE	VM233299	
	REDEMPTION DATE	21 AUGUST 1997	
	TOTAL ARREARS		\$10,352.19
R)	PROPERTY ADDRESS	193 PROSPECT STREET SOUTH	
	SERIAL NUMBER	03 02530 4440	
	BRIEF LEGAL DESCRIPTION	PLAN 439 PT LOTS 54, 55 & 56	
	DATE OF REGISTRATION	18 DECEMBER 1995	
	INST # OF TAX ARREARS CERTIFICATE	VM223218	
	REDEMPTION DATE	18 DECEMBER 1996	
	TOTAL ARREARS		\$9,399.89

BY-LAW NO. 96 - 157

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 24TH DAY OF SEPTEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

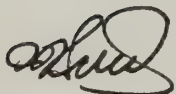
AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 24th day of September

A.D. 1996



CITY CLERK



MAYOR

BY-LAW NO. 96 - 158

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 1ST DAY OF OCTOBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

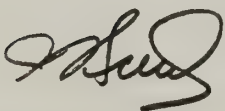
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

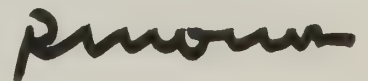
PASSED this 1st

day of October

A.D. 1996



CITY CLERK



MAYOR

BY-LAW NO. 96 - 159

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Norfolk	Southbound	Glenmount
Thorndale	Southbound	Glenmount
Hollywood	Southbound	Glenmount
Banff	Northbound	Muir
Michael	Eastbound	Palmer."

2. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Robert	North	West Ave to 42 feet westerly therefrom	Anytime
Robert	South	West Ave to 42 feet easterly therefrom	Anytime."

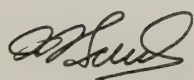
3. **Schedule 30 (Commercial Vehicle Loading Zones)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Augusta	South	15 feet 32 feet east of John	8:00 a.m. - 6:00 p.m. Monday to Saturday."
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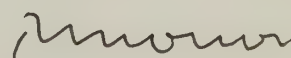
4. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by deleting therefrom the following item, namely:-

"West 2nd	East	23 ft.	141 feet south of South Bend	Anytime."
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PASSED this 8th day of October A.D. 1996.



CITY CLERK



MAYOR

BY-LAW NO. 96 - 160

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 25 (Parking Time Limits)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"East 36th	West	Crockett to Munn	1hr	8 am - 6 pm	Mon - Fri
Robert	Both	West Avenue to Victoria	1hr	8 am - 6 pm	Mon - Fri."

2. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Morley	South	Lampton to 58 feet westerly therefrom	Anytime
Tisdale	East	King William to Wilson	Anytime
Warren	East	Wingate to 100 feet northerly therefrom	Anytime
Hillview	West	Ainslie to the southerly end	Anytime."

3. **Schedule 27 (Alternate Side Parking)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Tisdale Street			
Wilson Street to Cannon Street	East	West."	

and by deleting therefrom the following item, namely:-

"Tisdale Street			
King William to Cannon Street	East	West."	

4. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Francis	North	commencing 68 feet west of Douglas and extending 20 feet westerly therefrom	Anytime
Francis	South	commencing 106 feet west of Douglas and extending 17 feet westerly therefrom	Anytime
Kinnell	North	commencing 178 feet west of Inchbury and extending 18 feet westerly therefrom	Anytime
Balsam	West	commencing 189 feet north of Afton and extending 16 feet northerly therefrom	Anytime

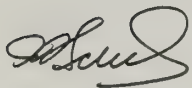
Balsam	East	commencing 174 feet north of Afton and extending 19 feet northerly therefrom	Anytime."
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and by deleting therefrom the following items, namely:-

"Tisdale	East	commencing at a point 38 feet north of King William to a point 20 feet northerly therefrom	Anytime
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William	West	commencing at a point 216 feet south of Birge to a point 23 feet southerly therefrom	Anytime."
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PASSED this *8th* day of *October* A.D. 1996.



CITY CLERK



MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 161

TO INCORPORATE CITY LAND DESIGNATED
AS BLOCK 30 ON PLAN 62M-745
INTO RACALMUTO STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Racalmuto Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Racalmuto Street.

All of Block 30 on Plan 62M-745.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of October A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 162

TO INCORPORATE CITY LAND DESIGNATED
AS PART 1 ON PLAN 62R-12903 INTO THE LANE
ON REGISTERED PLAN 166

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as the lane on Registered Plan 166 within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of the lane on Registered Plan 166.

Part of Lot 5,6 and 7, Registered Plan 166, designated as Part 1 on Plan 62R-12903.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

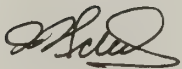
PASSED this

8th

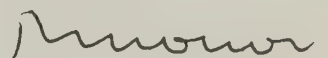
day of

October

A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-163

TO INCORPORATE CITY LAND
DESIGNATED AS PART 4 ON PLAN 62R-11902
INTO BERKINDALE DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Berkindale Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

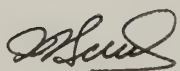
1. The following land is hereby established and laid out as a public highway, to form part of Berkindale Drive.

Part of Lot 24, Concession 2, in the geographic Township of Saltfleet, designated as Part 4 on Plan 62R-11902.

City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of October A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 164

TO INCORPORATE CITY LAND DESIGNATED
AS PART 3 ON PLAN 62R-11902
INTO DONN AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Donn Avenue within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Donn Avenue

Part of Lot 24, Concession 2, in the geographic Township of Saltfleet, designated as Part 3 on Plan 62R-11902.

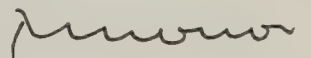
City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of October A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-165

TO INCORPORATE CITY LAND DESIGNATED
AS BLOCK 11 ON PLAN 62M-777
INTO EMBASSY DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Embassy Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

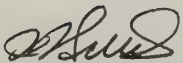
1. The following land is hereby established and laid out as a public highway to form part of Embassy Drive.

All of Block 11 on Plan 62M-777.

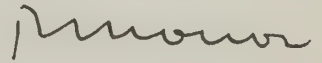
City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of October A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 166

TO INCORPORATE CITY LAND DESIGNATED
AS BLOCK 31 AND 33 ON PLAN 62M-745
INTO LOCHEED DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Lockheed Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

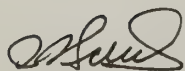
1. The following land is hereby established and laid out as a public highway to form part of Lockheed Drive.

All of Block 31 and all of Block 33 on Plan 62M-745.

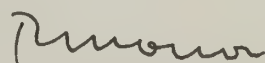
City of Hamilton
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 8th day of October A.D. 1996



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96- 167

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 620 KING STREET WEST

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 87-223, passed on the 28th day of July 1987, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 160. Land located at Municipal No. 620 King Street West, shown on Appendix 160 hereto annexed and forming part of this by-law.
2. Appendix 160 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this *8th* day of *October* A.D. 1996



CITY CLERK

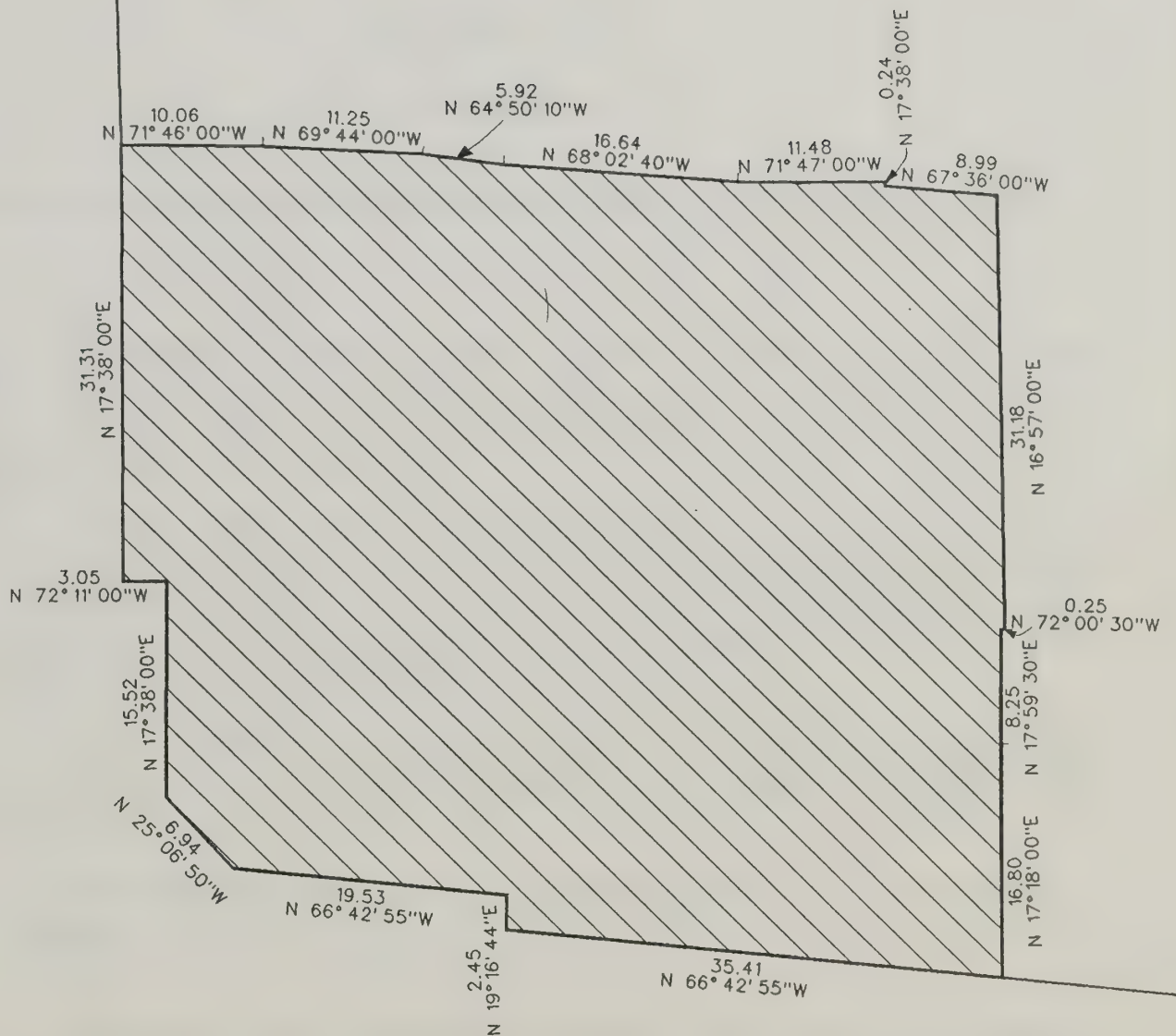


MAYOR

NORTH

STREET

DUNDURN



KING

STREET

WEST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-167.....
Passed the ...8th... day of *October*....., 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Appendix 160
to the By-Law No. 79-275
as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
as an area of Site Plan Control
pursuant to Section 41 of the
Planning Act, R.S.O. 1990.

North



Scale
Not to Scale

Date
October 1996

Reference File No.
DA-96-12

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-168

To Amend:

By-law No. 90-197

Respecting:

THE MAIN STREET WEST ESPLANADE BUSINESS IMPROVEMENT AREA

WHEREAS By-law No. 90-197, passed on the 26th day of June 1990, designated and described the improvement area referred to therein as the "Main Street West Esplanade Business Improvement Area", in accordance with subsections 217(1) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Section 10 of the 10th Report of the Planning and Development Committee on the 25th day of June 1996, directed that the Main Street West Esplanade Business Improvement Area boundaries be expanded in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS the Notice of Intent to expand the existing boundaries of the Business Improvement Area has been circularized to the Business Improvement Area membership and the proposed expansion area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 90-197 is amended by expanding the boundaries, as described in Schedule "A" hereto annexed and as shown on a plan hereto annexed as Schedule "B", each forming part of this by-law, to include the following:

Main Street West from Dundurn Street to Locke Street

2. In all other respects, By-law No. 90-197 is hereby confirmed, unchanged.

3. This by-law comes into effect on the 1st day of January, 1997.

PASSED this 8th day of

October

A.D. 1996



CITY CLERK



MAYOR

SCHEDULE "A"

By-law No. 96-168

Main Street West Esplanade
Business Improvement Area

That land located in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, described as follows;

Commencing at the centre line of Locke Street, distance of one hundred point forty five feet (100.45') north of the northerly limit of Main Street;

Thence easterly a distance of sixteen point forty seven feet (16.47') more or less, to a point in the easterly limit of Locke Street, distant one hundred feet (100.00') measured northerly there along from its intersection with the northerly limit of Main Street West;

Thence easterly and parallel with the southerly limit of Nelson Street, a distance of one hundred point five zero feet (100.50') more or less, to an iron bar planted;

Thence south $17^{\circ}24'56''$ west along the easterly limit of #334 Main Street West as described in Instrument 338188CD, a distance of eighty one point three six feet (81.36') more or less, to a point in the northerly limit of Main Street West;

Thence south $72^{\circ}50'39''$ east along the northerly limit of Main Street, a distance of one hundred one point three feet (101.30') to a point;

Thence northerly and parallel to Pearl Street a distance of fifty nine point zero feet (59.00') more or less, to a point in the southerly limit of St. Vincent Roman Catholic School land;

Thence easterly along said St. Vincent land twenty three point eighty three feet (23.83') to a point;

Thence southerly and parallel with Pearl Street fifty nine point zero feet (59.00') more or less to a point in the northerly limit of Main Street;

Thence south $72^{\circ}50'39''$ east along the northerly limit of Main Street a distance of one hundred twenty point zero feet (120.00') more or less to its intersection with the westerly limit of Pearl Street;

Thence north $17^{\circ}21'36''$ east along the westerly limit of Pearl Street to a point west of and at right angles to a point in the easterly limit of Pearl Street, distant two hundred sixty four point zero feet (264.00') measured south $17^{\circ}16'55''$ west there along from the southerly limit of George Street;

Thence to and along a fence marking the northerly boundary of Lot 13 according to James Mills Survey a distance of eighty seven point zero feet (87.00') to a bend in the fence;

Thence continuing easterly along a fence marking the limit between Lots 11 and 13 a distance of twenty seven point sixty seven feet (27.67') and a further distance of twenty three point eighty three feet (23.83') more or less to the fence marking the division line between Lots 8 and 13 on the James Mills Survey;

Thence southerly along said division line eighty five point eighty three feet (85.83') more or less to a point in the northerly limit of Main Street;

Thence south $72^{\circ}59'30''$ east along the northerly limit of Main Street to the southwesterly angle of Lot 12 on said James Mills Survey;

Description of Main Street West Esplanade - Business Improvement Area

Thence northerly to and along the westerly limit of Lot 12 one hundred thirteen point five feet (113.50') more or less to the southerly boundary of a twelve point zero feet wide alley (12.00') running westerly from Ray Street;

Thence easterly along the southerly limit of said alley a distance of one hundred twenty five point three feet (125.30') more or less to its intersection with the westerly limit of Ray Street;

Thence north easterly to a point in the easterly limit of Ray Street, distant one hundred twenty five point five zero feet (125.50') measured northerly there along from the northerly limit of Main Street;

Thence easterly along an existing fence eighty three point three seven feet (83.37') to a point;

Thence north $17^{\circ}17'36''$ east and parallel to Ray Street a distance of fifty one point five zero feet (51.50') to a point;

Thence easterly along a fence marking the northerly limits of Lots 7, 8 and 9, in Block 2, Range 1, of the James Mills Survey registered as Plan 1435 to the north easterly angle of Lot 9 aforesaid;

Thence continuing easterly along the southerly limit of Lot 6 a distance of twenty nine point five feet (29.50') more or less to a planted iron bar, distant one hundred six point forty two feet (106.42') measured westerly there along from the southeasterly angle thereof;

Thence northerly thirty point zero feet (30.00') along a line which if produced northerly would intersect the southerly limit of George Street at a point therein distant ninety eight point seventeen feet (98.17') measured westerly along the said southerly limit of George Street from the westerly limit of Queen Street;

Thence easterly one hundred four point twenty one feet (104.21') more or less to a point in the westerly limit of Queen Street distant ninety eight point zero feet (98.00') measured southerly there along from the southerly limit of George Street aforesaid;

Thence south $72^{\circ}50'30''$ east and at right angles to the westerly limit of Queen Street a distance of thirty three point zero feet (33.00') to a point;

Thence southerly along the centre line of Queen Street being also the original road allowance between Lots 16 and 17, Township of Barton, a distance of three hundred twenty six point zero feet (326.00') more or less to a point of intersection, said intersection being the centre line of Queen Street and the production easterly of the southerly limits of Lots 2, 5, 7, 9 and 11, in the James Mills Survey in the block bounded by Jackson Street, Ray Street, Main Street and Queen Street;

Thence westerly to and along said southerly limits of Lots 2, 5, 7, 9 and 11, to the southwesterly angle of Lot 11 in the last mentioned block;

Thence northerly to and along the westerly limit of Lot 11 last mentioned a distance of thirty point zero feet (30.00') more or less to a point distant seventy point zero feet (70.00') measured southerly there along from the north westerly angle thereof;

Thence westerly and parallel to the northerly limit of Lots 13 and 14 being also Main Street, a distance of one hundred feet (100.00') more or less to its intersection with the easterly limit of Ray Street;

Description of Main Street West Esplanade - Business Improvement Area

Thence westerly across Ray Street a distance of fifty point fifteen feet (50.15') more or less to a point in the westerly limit of Ray Street distant sixty seven point forty two feet (67.42') measured southerly there along from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of fifty point zero feet (50.00') to a point;

Thence southerly along the easterly limit of Lot 2 in the block bounded by Jackson Street, Pearl Street, Main Street and Ray Street in the James Mills Survey a distance of thirty two point fifty eight feet (32.58') to the south east angle of said Lot 2;

Thence westerly along the southerly limits of Lots 2, 5, 7, 9, 11 and 13 in the last mentioned Block and James Mills Survey to the south west angle of Lot 13;

Thence northerly to and along the westerly limit of Lot 13 a distance of thirty point zero feet (30.00') to a point;

Thence westerly and parallel to the southerly limit of Main Street a distance of fifty point zero feet (50.00') to a point in the easterly limit of Pearl Street, distant seventy point zero feet (70.00') measured southerly there along from the southerly limit of Main Street;

Thence westerly across Pearl Street a distance of fifty point zero feet (50.00') more or less to a point in the westerly limit of Pearl Street distant eighty six point zero feet (86.00') measured southerly there along from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of sixty one point eleven feet (61.11') more or less to a fence running northerly in the block bounded by Jackson Street, Locke Street, Main Street and Pearl Street in the James Mills Survey aforementioned;

Thence southerly and parallel to the westerly limit of Pearl Street a distance of twelve point twenty five feet (12.25') to a point on a fence;

Thence westerly to and along the southerly limits of Lots 2, 5, 8, 9 and 12, in the last mentioned block and survey to the southwestly angle of Lot 12;

Thence northerly along the westerly limit of said Lot 12 a distance of thirty five point five feet (35.50') more or less to a point, distant sixty two point zero feet (62.00') measured southerly there along said westerly limit of Lot 12 from the southerly limit of Main Street;

Thence westerly and parallel to Main Street a distance of fifty one point zero feet (51.00') more or less to a point in the easterly limit of Locke Street;

Thence continuing westerly and parallel to Main Street a distance of sixty six point zero feet (66.00') more or less to a point in the western limit of Locke Street distant one hundred point zero feet (100.00') south of the south limit of Main Street;

Thence westerly parallel with the south limit of Main Street to its intersection with the centre line of Dundurn Street South;

Thence northerly along the centre line of said Dundurn Street South to its intersection with the westerly production of the south limit of an alley as widened by City of Hamilton By-Law 96- ;

Thence easterly to and along the said southern limit of said alley a distance of one hundred fifty six point five feet (156.50') to a point in the western limit of Lot 10, Registered Plan 166;

Description of Main Street West Esplanade - Business Improvement Area

Thence southerly along the western limit of said Lot 10 to the south west corner thereof;

Thence easterly along the southern limit of said Lot 10 being the northern limit of Lots 7 and 8, Registered Plan 166 to the north east corner of Lot 8.

Thence southerly along the eastern limit of said Lot 8, being the western limit of Lot 9, Registered Plan 166, a distant of fifty point zero feet (50.00') to a point;

Thence easterly parallel with the southern limit of said Lot 9, being the northern limit of Main Street West, a distance of fifty point zero feet (50.00') to a point in the western limit of New Street;

Thence northeasterly to a point in the east limit of said New Street being the north west corner of Lot 1, Registered Plan 398;

Thence easterly along the northern limit of Lots 1, 2, 3, 4, 5 and 6, Registered Plan 398 to the northeast corner of said Lot 6;

Thence easterly across Lots 7, 8 and 9, Registered Plan 398 and Lots 27 and 28, Registered Plan 389 to a point in the interior of Lot 28, distant sixty six point zero feet (66.00') north of Main Street West and seventy two point zero feet (72.00') west of Strathcona Avenue;

Thence easterly seventy two point zero feet (72.00') to the western limit of said Strathcona Avenue;

Thence southerly to a point in the eastern limit of said Strathcona Avenue distant forty seven point zero feet (47.00') north of south west corner of Lot 31, Registered Plan 389;

Thence easterly parallel with the south limit of said Lot 31, being the north limit of Main Street West, a distance of seventy point zero feet (70.00') to a point;

Thence northerly parallel with the east limit of Strathcona Avenue to the south limit of an alley, on Registered Plan 389;

Thence easterly along the said south limit of alley, to the west limit of Margaret Street;

Thence easterly to the eastern limit of Margaret Street also the south limit of another alley being the north west corner of Lot 13, Registered Plan 227;

Thence easterly along the south limit of said alley being the north limit of Lots 13, 12 and 11, Registered Plan 227 to the north east corner of said Lot 11;

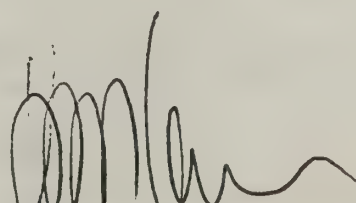
Thence easterly twelve point zero feet (12.00') more or less to the east limit of another alley distant one hundred point zero feet (100.00') from the north limit of Main Street West;

Thence easterly parallel with the north limit of Main Street to the point of commencement.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

October 1, 1996

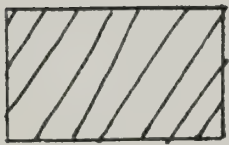


Kin M. Lai
Ontario Land Surveyor

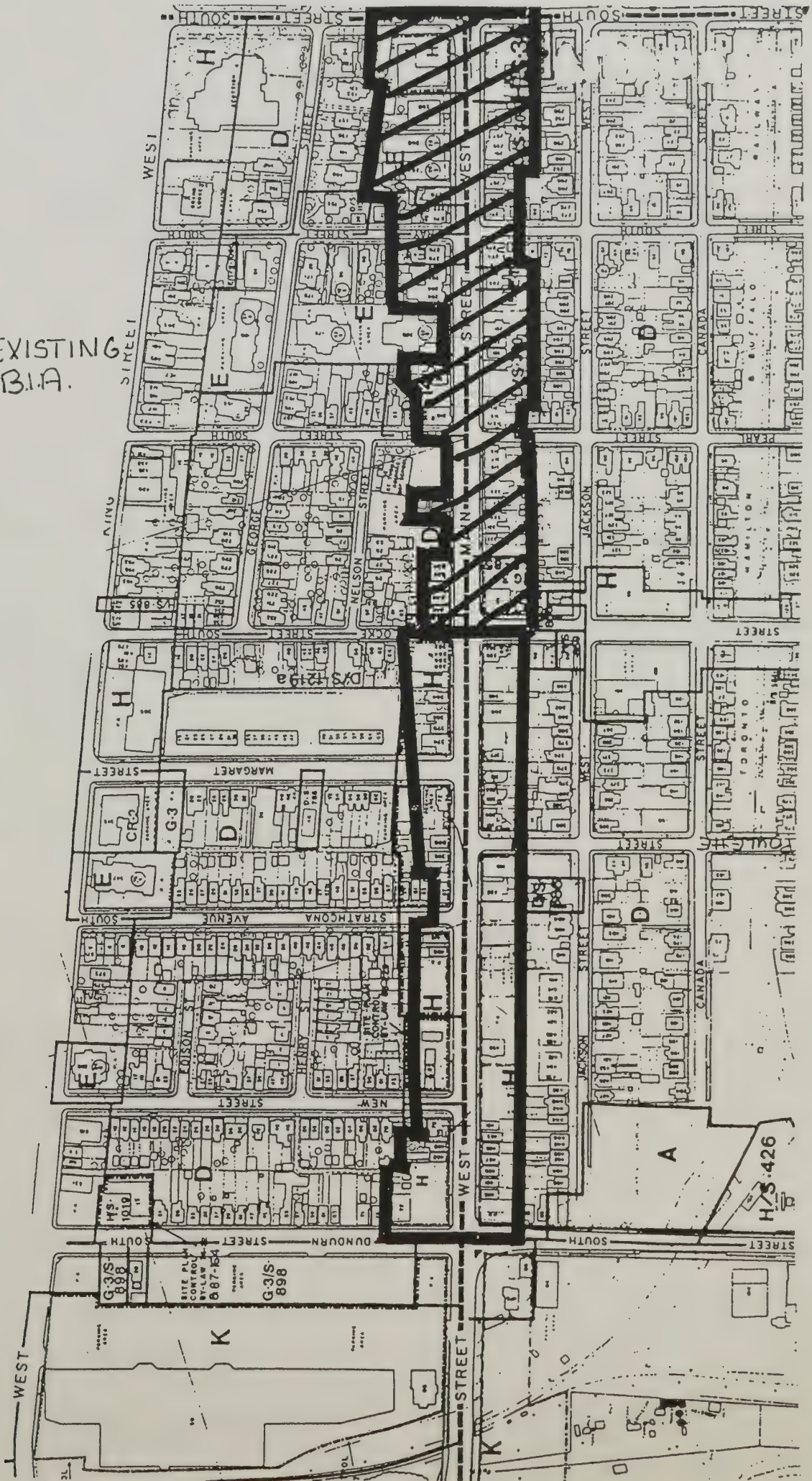
SCHEDULE "B"

By-law No. 96-168

Main Street West Esplanade
Business Improvement Area



EXISTING
B.I.A.



The Corporation of the City of Hamilton

BY-LAW NO. 96- 169

To Adopt:

Official Plan Amendment No. 136

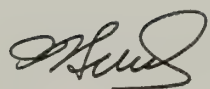
Respecting:

**LANDS LOCATED WEST OF UPPER PARADISE ROAD BETWEEN
STONE CHURCH ROAD WEST AND RYMAL ROAD WEST
WITHIN THE FALKIRK WEST NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 136 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 8th day of October A.D. 1996



CITY CLERK



MAYOR

Amendment No. 136

to the

City of Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitutes Official Plan Amendment No. 136.

Purpose:

The purpose of this Amendment is to redesignate an 8.8 acre parcel of land from "Residential" and "Major Institutional" to "Open Space" to recognize the Tiffany Creek Environmentally Sensitive Area.

Location:

The lands affected by this Amendment are located within the western portion of the Falkirk West Neighbourhood.

Basis:

The basis for redesignating the subject lands from "Residential" and "Major Institutional" to "Open Space" is as follows:

- 1) The Tiffany Creek Environmentally Sensitive Area contains a Provincially Significant Wetland - development is not permitted on Provincially Significant Wetlands;
- 2) The subject lands within the Falkirk West Neighbourhood are one component of the broader "Tiffany Creek Headwaters Environmentally Significant Area", as identified by the Region of Hamilton-Wentworth Official Plan; and,
- 3) The approved Falkirk West Neighbourhood Plan recognizes the importance of the Tiffany Creek Environmentally Sensitive Area as a key feature of the Neighbourhood to be preserved and enhanced.

Actual Changes:

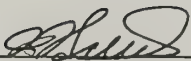
Schedule "A" - Land Use Concept of the Official Plan be revised by redesignating the 8.8 acre parcel of land within the western portion of the Falkirk West Neighbourhood from "Residential" and "Major Institutional" to "Open Space", as shown on the attached Schedule "A" of this Amendment.

Implementation:

Approval of this Amendment by the Regional Municipality of Hamilton-Wentworth will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 96- 169 , passed on the *8th* day of *October* , 1996.

**The Corporation of the
City of Hamilton**



City Clerk



Mayor

Schedule "A"

Amendment no.136

to the

Official Plan

for the

City of Hamilton

Legend

area to be changed from:

"Residential" to "Open Space"

"Major Institutional" to "Open Space"

Date

October, 1985

Drawn by

F. Angello

Reference File No

OPA136



land use concept

legend

- ☐ Major Institutional
- ☐ Residential
- ☐ Office
- ☐ Industrial
- ☐ Commercial
- ☐ Community
- ☐ Open Space
- ☐ Water
- ☐ Other
- ☐ Major Institutional
- ☐ Residential
- ☐ Office
- ☐ Industrial
- ☐ Commercial
- ☐ Community
- ☐ Open Space
- ☐ Water
- ☐ Other

schedule

to the official plan

of the City of Hamilton

August 8

By-Law 27

The Corporation of the City of Hamilton

BY-LAW NO. 96 - 170

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF WEST FIFTH STREET, SOUTH OF THE
PROPOSED MOUNTAIN FREEWAY AND NORTH OF CHESTER STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593, are amended,

- (a) by changing from "AA" (Agricultural) District, to "C"-'H' (Urban Protected Residential, etc. - Holding) District, the lands comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the applicant applying for and receiving approval by the Region of Hamilton-Wentworth of a Plan of Subdivision;

- (b) The 'H' symbol shall be removed by an amendment to this by-law and the development of the lands referred to in section 1 may proceed at such time in accordance with the "C" District provisions.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1367.

4. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1. of this by-law, S-1367.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 8th day of October A.D. 1996



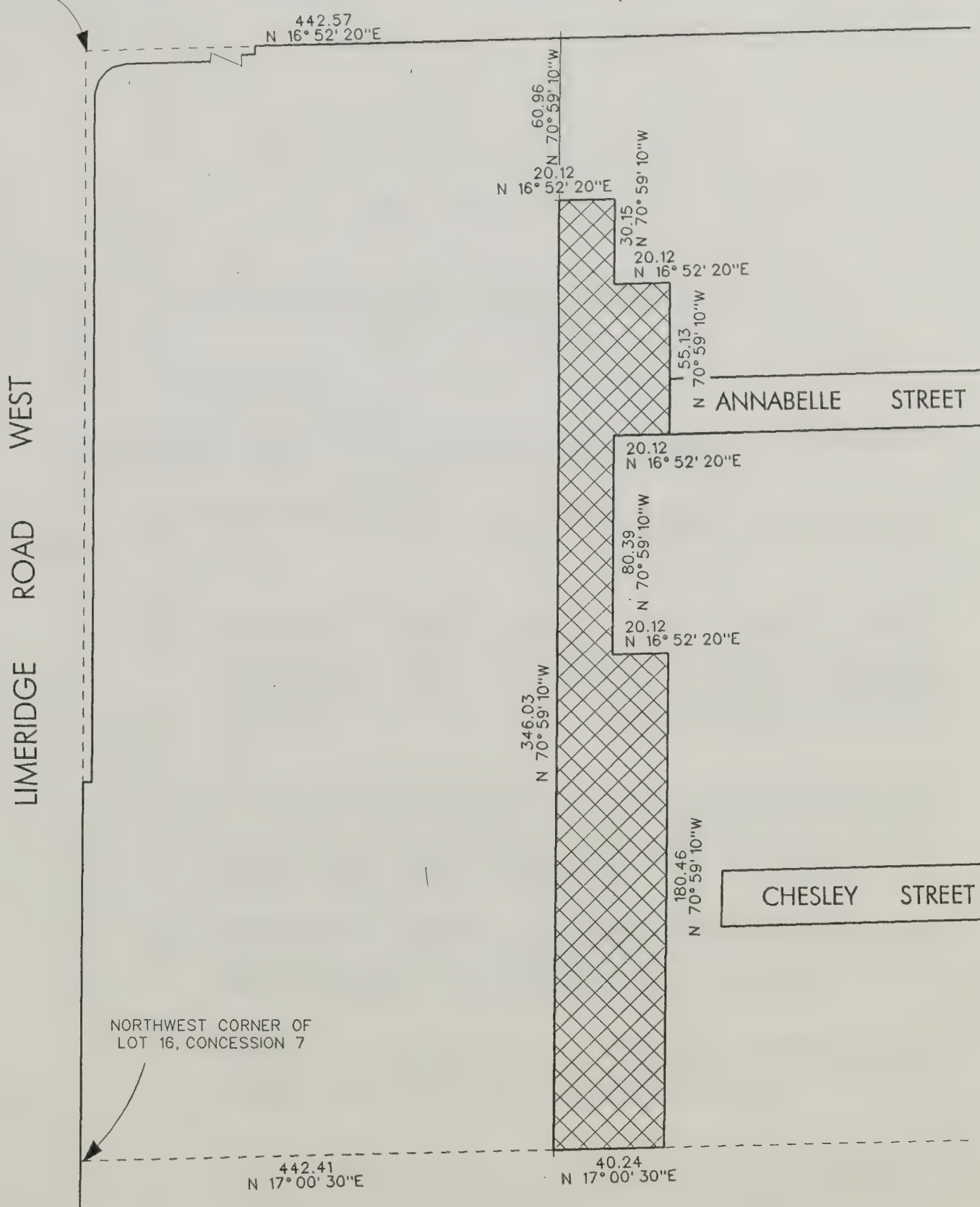
CITY CLERK



MAYOR

(1996) 13 R.P.D.C. 3, August 27
Gus and Mike Holdings Ltd., Owner
ZAC-95-04

STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-170
Passed the 8th day of October, 1996.

[Signature]
Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-....170...
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to: "C"-'H' (Urban Protected Residential, etc. - Holding) District.

North



Scale
Not to Scale

Date
September 1996

Reference File No.
ZAC-95-04

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96—171

To Remove

Land within the "Wisemount Estates - Phase 7" Subdivision, Plan 62M-794
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 2 to 9 inclusive and Lot 12 within Registered Plan Number 62M-794,
in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.

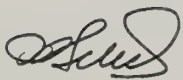
(b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on January 1, 1997.

PASSED this 8th day of

October

A.D. 1996.



City Clerk



Mayor

BY-LAW NO. 96 - 172

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF OCTOBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

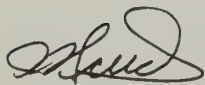
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of October A.D. 1996



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 173

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF UPPER PARADISE ROAD, SOUTH OF
STONE CHURCH ROAD WEST AND NORTH OF RYMAL ROAD,
KNOWN MUNICIPALLY AS 988 UPPER PARADISE ROAD**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the lands comprised in Block "1"; and
- (b) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, the lands comprised in Block "2"

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands comprised in Block "2" and referred to in section 1.(b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, a front yard having a depth of not less than 8.5 metres shall be provided and maintained; and,
- (b) notwithstanding Section 9.(4) of Zoning By-law No. 6593, every lot or tract of land shall have a minimum width of 15.0 metres and an area of at least 450 square metres within the district; and,

- (c) in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manoeuvring area shall be provided and maintained for each single family dwelling.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1370.

5. Sheet No. W-37D of the District Maps is amended by marking the lands referred to in section 1.(b) of this by-law, S-1370.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of October A.D. 1996



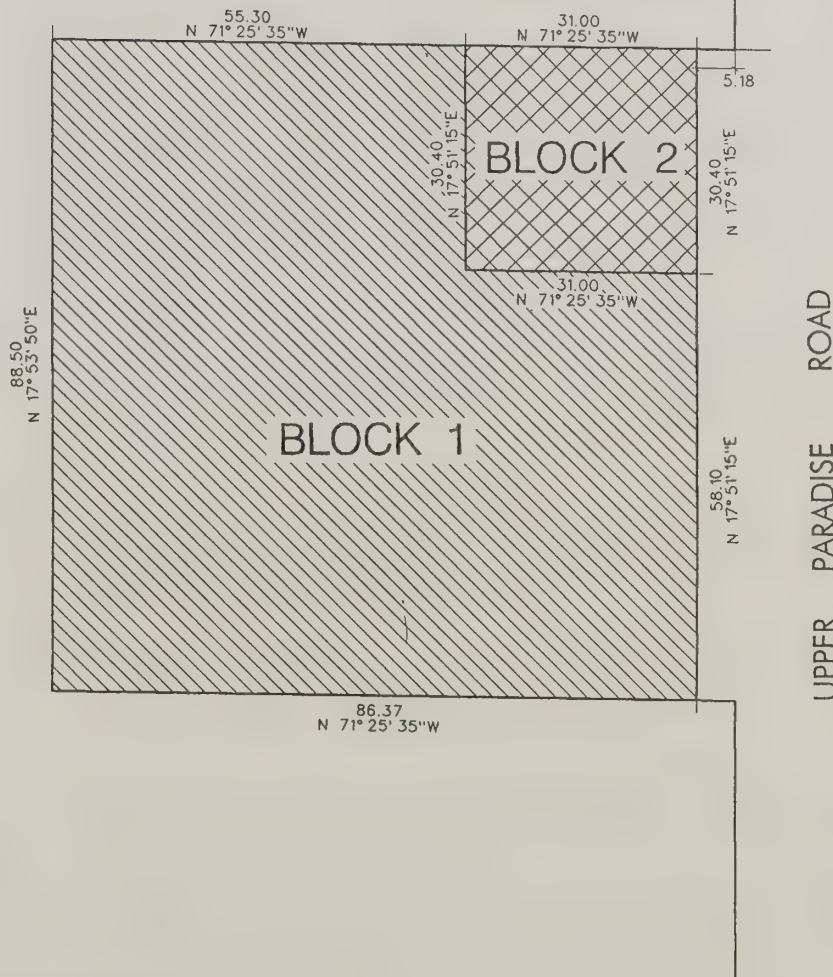
CITY CLERK



MAYOR

STONE CHURCH ROAD WEST

NORTH EAST CORNER OF
LOT 21, CONCESSION 8



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-173
Passed the 29th day of October, 1996.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A
Map Forming Part of
By-Law No. 96-173
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

BLOCK 1



"AA" (Agricultural) District to: "RT-20"
(Townhouse-Maisonette) District.

BLOCK 2



"AA" (Agricultural) District to: "C" (Urban
Protected Residential, etc.) District,
Modified.

North



Scale
Not to Scale

Date
September 1996

Reference File No.
ZAC-96-07

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 96-174

To Remove

Land within the "Allison Estates - Phase 1, Stage 2" Subdivision, Plan 62M-795
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, shall not apply to the following lands:

Lots 1 to 19 inclusive within Registered Plan Number 62M-795, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.

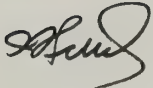
(b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on February 1, 1997.

PASSED this 29th day of

October

A.D. 1996.



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-175

To Designate:

**LAND LOCATED AT MUNICIPAL NOS. 28-44 JAMES STREET NORTH/
5-21 KING WILLIAM STREET (LISTER BLOCK)**

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS the Conservation Review Board made a report as required by the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(14)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal Nos. 28-44 James Street North/5-21 King William Street and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The City Solicitor is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on the owner and The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the Municipality of the City of Hamilton.

PASSED this 29th day of October A.D. 1996



CITY CLERK



MAYOR

Schedule "A"

to

By-law No. 96-175

Lister Block

28-44 James Street North / 5-21 King William Street

All of Lot 33, All of Lot 34, Part of Lot 35, Part of Lot 36, Part of Lot 47 and Part of Lot 48

Nathaniel Hughson's Survey

being the block bounded by James, Rebecca, Hughson and King William Streets,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth

More particularly described as follows:

COMMENCING at the southwestern corner of the said lot number thirty-three (33), being a point in the eastern limit of James Street, where it is intersected by the northern limit of King William Street, the said point of intersection being marked by a cross cut in the concrete sidewalk;

THENCE northerly along the western limits of the said lots numbers thirty-three (33) and forty-eight (48) (being along the eastern limit of James Street), one hundred and thirty-nine and eight one-hundredths feet (139.08') more or less to a point of intersection with the centre line of the wall between the six (6) storey brick building erected upon the herein described parcel of land and known as Municipal Numbers 28 to 44 James Street North, and the three and one-half (3½) storey stone building erected upon the lands adjoining on the north and known as Municipal Number 46 James Street North;

THENCE easterly along the centre line of the said wall sixty-one feet (61.00') more or less to a point in the eastern face of the eastern wall of the said stone building known as Municipal Number 46 James Street North, the said point being distant one hundred and thirty-seven and forty-two one-hundredths feet (137.42') measured southerly parallel with the eastern limit of James Street from the southern limit of Rebecca Street;

THENCE easterly along the centre line of the southern wall of the three storey stone addition erected in the rear of and adjoining the said stone building known as Municipal Number 46 James Street North and the production easterly thereof ninety-four feet (94.00') more or less to a point in the eastern limit of the said lot number forty-seven (47) the said point being distant two feet (2.00') measured northerly along the eastern limit of lot number forty-seven (47) from the southeastern corner thereof, the said point being also distant one hundred and thirty-six and thirty-three one-hundredths feet (136.33') measured southerly along the eastern limit of lot number forty-seven (47), from the southern limit of Rebecca Street;

THENCE southerly along the eastern limit of the aforesaid lot number forty-seven (47) two feet (2.00') to the southeastern corner thereof;

THENCE easterly along the northern limits of the said lots numbers thirty-five (35) and thirty-six (36), one hundred and sixty-two and fifty one-hundredths feet (162.50') more or less to the northeastern corner of the said lot number thirty-six (36), being a point in the western limit of Hughson Street;

THENCE southerly along the eastern limit of the said lot number thirty-six (36) sixty-nine and twenty-one hundredths feet (69.21') more or less to a point measured northerly along the eastern limit of the aforesaid lot number thirty-six (36) from the northern limit of King William Street;

THENCE westerly in a straight line one hundred and sixty-two and fifty one-hundredths feet (162.50') more or less to a point in the western limit of the said lot number thirty-five (35), distant sixty-nine and seventeen one-hundredths feet (69.17') measured northerly along the said limit from the northern limit of King William Street;

THENCE southerly along the western limit of the aforesaid lot number thirty-five (35), sixty-nine and seventeen one-hundredths feet (69.17') to the southwestern corner thereof;

THENCE westerly along the said northern limit of King William Street and being along the southern limits of the said lots numbers thirty-four (34) and thirty-three (33) one hundred and fifty-five feet (155.00') more or less to the point of commencement.

PREVIOUSLY DESCRIBED IN INSTRUMENT No 492891 CD

Schedule "B"

to

By-law No. 96-175

REASONS FOR DESIGNATION

Lister Block

28-44 James Street North / 5-21 King William Street

Context

The imposing six-storey retail/office building known as the *Lister Block* has been a prominent downtown landmark since erected in 1923 at the north-east corner of James Street North and King William. Its height, corner location, large double street frontage, and assertive architectural design have all contributed to its dominant character. An anchor block on both streets, its strong presence has been further accentuated in recent years by two major changes to the historic James North streetscape: the replacement of the four- and six-storey T. Eaton Co. department store (1916/20) to the north-west by the lower Eaton Centre (1990) and the large gap created by the demolition of the 1929 Zeller's building to the south.

The Lister Block originally stood in the heart of Hamilton's civic core, directly across from the City Hall (1888) and Market Square, and just south of the Federal Building (1856/1920). The downtown urban renewal scheme, initiated by the opening of the new City Hall in 1960, however, gradually shifted the focus of civic and cultural activity away from James Street North, resulting in the loss of two major Victorian landmarks: the old City Hall and the Grand Opera House (1880) located two blocks to the north.

From an urban design perspective, full advantage was taken of the corner site. Equal architectural emphasis was given to the six- and eight-bay street elevations, with entrances provided to the L-shaped arcade from both James and King William. The use of the traditional truncated corner served to orient the building both to the intersection of James and King William and the open space beside City Hall, known as Market Square. Despite changes to the original street pattern and built forms, the Lister Block still relates very well to its setting and maintains a commanding presence.

History

The Lister Block site is noteworthy for its long-term association with the Lister family, dating back to the 1850s when the original four-storey stone commercial block was erected for Joseph Lister. Following a devastating fire in 1923 which left the structure in ruins, plans were immediately drawn up for a larger, six-storey fireproof building by his son and manager since 1911, J.E. Lister. It was Lister's proclaimed ambition to provide the most up-to-date and central accommodation for small merchants at the lowest possible rents: stores facing James and King William, a two-level interior shopping arcade and office suites on the upper four floors. Within several years, Lister's ambitious project proved to be a success, attracting a variety of retail stores as well as service-oriented businesses and agencies (e.g. cafes, barber shops, beauty salons, medical practitioners, accountants, real estate agents, building societies, and charitable organizations). Joseph and J.E. Lister were both successful businessmen who demonstrated the family's confidence in and commitment to Hamilton through their respective Lister Block developments.

The present Lister Block remained largely occupied until the mid-1970s. Long-standing tenants included the Tait-Gibson Optical House at #44, one of the first and last occupants; the former White Grill Restaurant at #40 for over forty years; and the Anne Foster Music Shop located at #36 from 1942 until 1995, when the building was closed.

Architecture

The Lister Block is significant as Hamilton's oldest surviving major retail/office complex with a large interior arcade. It also ranks among the city's best surviving examples of the decorative use of terra cotta. Moreover, it is one of the most distinctive buildings designed by the local architectural firm of Bernard Prack & Co. (later Prack & Prack), whose achievements included the tall Gothic-inspired 1929 Pigott Building. Typical of early 20th century office buildings, the Lister Block combined technically advanced fire-proof construction with traditional architectural materials and forms. Stylistically, it followed the Renaissance Revival precedent adopted for Hamilton's pre-modern tall buildings, such as the Royal Connaught Hotel (1916), and was similarly characterized by the tripartite division of its facades into base, shaft and capital, all articulated by classical elements and details. The massing of the Lister Block, however, more closely resembled that of the early 20th century department store, with its bulkier proportions and horizontal emphasis (as exemplified by the original T. Eaton Co. building).

To the architect's credit, the Lister Block is distinguished by the clear architectural expression of its dual function, the skilful handling of Renaissance Revival forms, and high-quality materials employed in a visually effective manner. The building consists of a reinforced concrete frame clad in brick, terra cotta and sheet copper. The white glazed terra-cotta facade of the lower two stories of retail space comprises fluted pilasters supporting an entablature punctuated by decorative medallions aligned with the capitals. Set within this classical framework are the individual storefronts and wide display windows above. In contrast, the facade of the four stories of office space above is divided into bays of tall sash windows and copper spandrel panels by piers of dark brown rug brick. Crowning the facade is a white glazed terra-cotta entablature similar in design to the lower one, but more elaborate.

The L-shaped interior arcade, claimed at the time of its opening to be the first in Hamilton with a second level of shops, is also noteworthy for its architectural treatment: corridors with marble and patterned terrazzo flooring lined with varnished wood and plate-glass storefronts, and at street level, decorative plasterwork in the form of arches sprung from classical pilasters, and square skylights (originally domed on the interior).

The Lister Block has, to a large extent, preserved its original architectural character. Most of its original exterior and interior features are intact; and exterior alterations have mainly occurred at ground floor level: most noticeably, the partial removal of two corner pilasters. Only the former music shop front at #36 still stands unaltered.

Designated Features

Important to the preservation of the Lister Block are the original architectural features of:

- the two street facades (west and south), including all original windows, the one original storefront at #36, and the decorative terra-cotta and copper work, but excluding recent alterations to the storefronts and arcade entrances;
- the two-level interior arcade, including the shopfronts, decorative plasterwork, marble and terrazzo flooring, and skylights (excluding the recent bubble domes).

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-176

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
- (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
- (c) that any person may pay the Cancellation Price at any time.
- (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
- (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
- (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 29th day of October 1996, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	53 GLAMIS CRT.
	SERIAL NUMBER	08 10330 2938
	BRIEF LEGAL DESCRIPTION	PLAN M126 LOT 4
	DATE OF REGISTRATION	SEPTEMBER 9, 1996
	INST # OF TAX ARREARS CERTIFICATE	LT419329
	REDEMPTION DATE	SEPTEMBER 9, 1997
	TOTAL ARREARS	\$8,999.56

BY-LAW NO. 96 - 177

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF OCTOBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

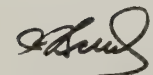
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of October A.D. 1996



CITY CLERK



MAYOR

CAY ON HBL A08
B91

BILL NO. A-56

BY-LAW NO. 96 - 178

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 24 (Parking Meter Locations) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to Part 3(b) thereof, the following items, namely:-

"Hunter North James to 93 feet west of Hughson

Hunter North John to 110 feet east of Hughson."

and by adding to Part 5 thereof, the following items, namely:-

"Hunter North Hughson to 93 feet westerly therefrom

Hunter North Hughson to 110 feet easterly therefrom."

and by deleting from Part 5 thereof, the following items, namely:-

"Hunter North James to John."

2. Schedule 25 (Parking Time Limits) of said By-law is hereby amended by adding thereto the following items, namely:-

"Wilmont	Both	Royal to southerly end	2hr	8 a.m. - 5 p.m.	Mon - Fri
Royal	South	Bowman to Stroud	1hr	8 a.m. - 5 p.m.	Mon - Fri
Delbrook	South	Stroud to the west curb line of Delbrook	1hr	8 a.m. - 5 p.m.	Mon - Fri."

3. Schedule 26 (No Parking Areas) of said By-law is hereby amended by adding thereto the following item, namely:-

"Gladstone West Main to Cumberland Anytime."

and by deleting therefrom the following item, namely:-

"Gladstone West Main to Delaware Anytime."

4. Schedule 27 (Alternate Side Parking) of said By-law is hereby amended by adding thereto the following item, namely:-

"Rangeview Court
Redbury Street to the south end East West."

and by deleting therefrom the following item, namely:-

"Gladstone Avenue
Cumberland Avenue to Delaware Avenue West East."

5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Afton	North	commencing 95 feet east of Balsam and extending 20 feet easterly therefrom	Anytime
Tisdale	East	commencing 176 feet north of east/west leg of Tisdale and extending 21 feet northerly therefrom	Anytime
Somerset	North	commencing 75 feet west of Barnesdale and extending 18 feet westerly therefrom	Anytime
John	East	commencing 74 feet south of Picton and extending 17 feet southerly therefrom	Anytime
New	West	commencing 31 feet north of Main and extending 23 feet northerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Huron	North	commencing 96 feet west of Stirton and extending to a point 21 feet westerly therefrom	Anytime
Wood	South	from a point 133 feet east of Ferguson to a point 24 feet easterly therefrom	Anytime."

6. **Schedule 37 (Snow Routes)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Longwood	Both	Franklin	Macklin
Anchor	Both	Stone Church	Harlowe
Bigwin	Both	Pritchard	Anchor
Harlowe	Both	Pritchard	Anchor."

PASSED this 12th day of November A.D. 1996.


CITY CLERK




MAYOR

BY-LAW NO. 96 - 179

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Acadia (west leg)	Northbound	Acadia (north leg)
Hughson	Northbound and Southbound	Ferrie
Jacqueline	Eastbound	Upper Wellington
Sedona	Eastbound	Upper Wellington
Margate	Eastbound and Westbound	Southwood."

2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Lavina	South	Magnolia to 36 feet westerly therefrom	Anytime
Magnolia	West	Lavina to 31 feet southerly therefrom	Anytime."

3. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following items, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	8:00 a.m - 11:00 p.m. Monday to Friday
Delena	West	22 feet	308 feet south of Dunsmure	Anytime
Norman	East	35 feet	107 feet north of Campbell	Anytime."

and by deleting therefrom the following item, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	9:00 a.m. - 10:00 p.m. Monday to Friday."
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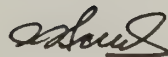
PASSED this

12th

day of

November

A.D. 1996.



CITY CLERK




MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 180

TO INCORPORATE CITY LAND
DESIGNATED AS PARCEL A, REGISTERED PLAN 1053
INTO JEREMY STREET

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Jeremy Street within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Jeremy Street.

All of Parcel A, on Registered Plan 1053.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.

3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of November A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 181

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 38, ON PLAN 62M-715
ON SUPREME DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Supreme Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Supreme Drive.

All of Block 38, on Plan 62M-715.

City of Hamilton

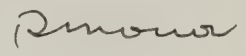
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of November A.D. 1996


City Clerk




Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-182

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 30, ON PLAN 62M-752
INTO FANO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Fano Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, to form part of Fano Drive.

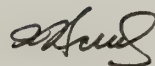
All of Block 30, on Plan 62M-752.

City of Hamilton

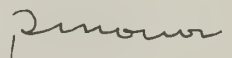
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 12th day of November A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 183

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 32, ON PLAN 62M-622 & BLOCK 36, ON PLAN 62M-781
INTO GAGLIANO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Gagliano Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Gagliano Drive.

All of Block 32, on Plan 62M-622 and all of Block 36, on Plan 62M-781.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

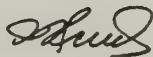
PASSED this

12th

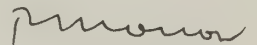
day of

November

A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 184

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 21, ON PLAN 62M-643, BLOCK 31, ON PLAN 62M-622 &
PARTS 1, 3, 4, 7, 8, 11 AND 12, ON PLAN 62R-9927
INTO EAGLEWOOD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Eaglewood Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Eaglewood Drive.

All of Block 21, on Plan 62M-643, and all of Block 31, on Plan 62M-622, and Parts 1, 3, 4, 7, 8, 11 and 12, on Plan 62R-9927.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

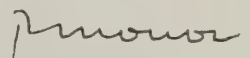
12th

day of November

A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 185

**TO AUTHORIZE THE SALE OF THE CLOSED ALLEY PARALLEL TO
TISDALE STREET, BETWEEN KING STREET & MAIN STREET,
AS CLOSED BY JUDGE'S ORDER 174069 VM,
DESIGNATED AS PARTS 1 AND 2, ON PLAN 62R-13270 AND
PARTS 1, 2 AND 3, ON PLAN 62R-5120**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 22 of the 9th Report of the Transport and Environment Committee on 1996 June 25, authorized the City to sell part of the alley parallel to Tisdale Street, between King Street and Main Street, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120, as closed by Judge's Order 174069 VM;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the closed portion of the alley between King Street and Main Street, described as;

Part of an 11 foot alley on Registered Plan 224, being parallel to Tisdale Street, between King Street and Main Street, as closed by Judge's Order 174069 VM, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Is hereby authorized.

2. That an offer to purchase a portion of the above described closed alley, designated as Parts 1, 2 and 3, on Plan 62R-5120 and Part 1, on Plan 62R-13270, be extended to the Hamilton Automobile Club for the sum of \$4,480.00, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

Page 2

To authorize the sale of the closed alley parallel to Tisdale Street, between King Street & Main Street, as closed by Judge's Order 174069 VM, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120
By-Law 96-

3. That an offer to purchase a portion of the above described closed alley, designated as Part 2, on Plan 62R-13270, be extended to Maindale Properties Limited for the sum of \$290.00, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

PASSED this

12th

day of

November

A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-186

TO AUTHORIZE THE SALE OF PART OF THE ALLEY ADJACENT TO
95 FERGUSON AVENUE SOUTH, AS CLOSED BY JUDGE'S ORDER VM232957,
DESIGNATED AS PART 1, ON PLAN 62R-13138

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 23 of the 12th Report of the Transport and Environment Committee on 1996 September 24, authorized the City to sell part of the alley immediately north of Lot 6, Registered Plan 31, designated as Part 1, on Plan 62R-13138, as closed by Judge's Order VM232957;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

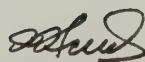
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of part of the alley lying north of 95 Ferguson Avenue South, described as;

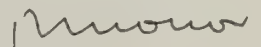
Part of the alley lying north of Lot 6, as closed by Judge's Order VM232957, on Registered Plan 31, designated as Part 1, on Plan 62R-13138.

City of Hamilton
Regional Municipality of Hamilton-Wentworth
Is hereby authorized.
2. That an offer to purchase the above described portion of the alley be extended to Edward Adrian and Paul Bellemore for the sum of \$2, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

PASSED this 12th day of November A.D. 1996



City Clerk



Mayor

To Amend

By-law No. 93-167

Respecting

BUILDING PERMIT FEES

WHEREAS By-law 93-167 was enacted on the 27th day of July 1993 concerning Building Permit Fees.

AND WHEREAS City Council, on October 29, 1996, in adopting Section 5 of the 17th Report of the Planning and Development Committee authorized the addition of a Permit Class for the construction of barrier free access in existing single and two family dwellings;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" of By-law No. 93-167 is amended by adding the following Class of Permit.

CLASS OF PERMIT

FEE

- | | |
|---|---------------|
| 1.(a) Permit for the construction
of barrier free access in
existing single and two
family dwellings | \$0.00 (zero) |
|---|---------------|

PASSED this 12th day of November, 1996.



CITY CLERK





MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 188

To Designate

**DOWNTOWN HAMILTON AS A COMMUNITY
IMPROVEMENT PROJECT AREA**

WHEREAS subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter M.45 provides as follows:

- (2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole, or any part of, an area covered by such official plan as a Community Improvement Project Area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS Council, on October 29, 1996, in adopting Section 3 of the 17th Report of the Planning and Development Committee approved the designation of the Downtown Community Improvement Area;

AND WHEREAS it is desirable to designate the area described on Schedule "A" as a Community Improvement Project Area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The area shown on Schedule "A" hereto annexed and forming part of this By-law is hereby designated as a Community Improvement Project Area.

PASSED this 12th day of November , 1996.



CITY CLERK

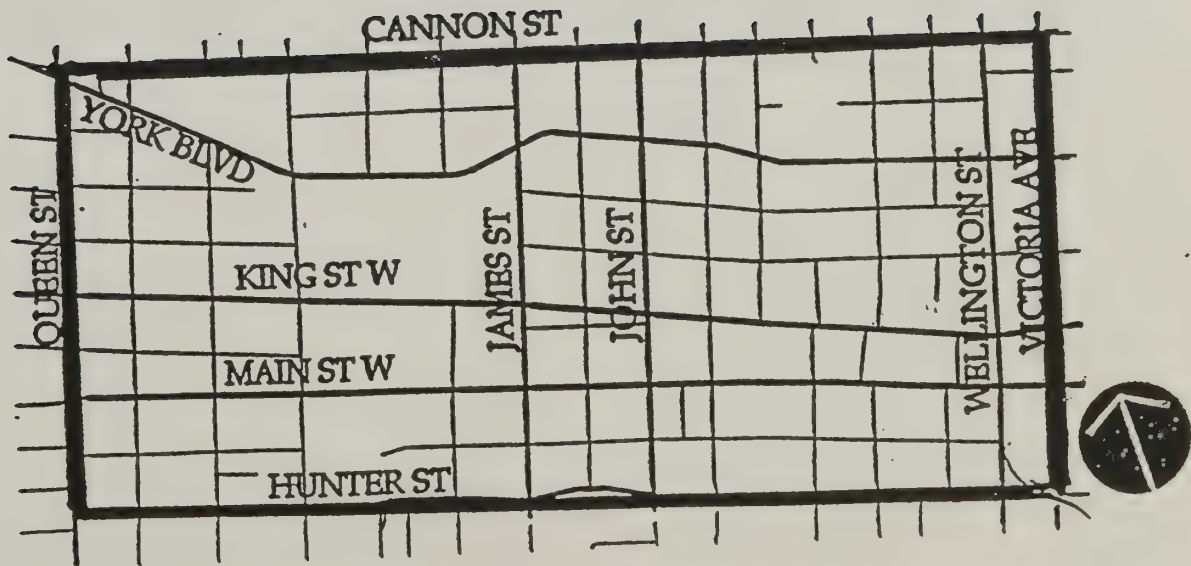


MAYOR

SCHEDULE "A"

96-188

DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA



(Bounded northerly by Cannon Street, southerly by Hunter Street,
westerly by Queen Street and easterly by Victoria Avenue).

SCHEDULE "A"

DOWNTOWN HAMILTON

COMMUNITY IMPROVEMENT PLAN

1996 October 16

1. INTRODUCTION

The purpose of this Community Improvement Plan is two-fold: i) to provide the context for a co-ordinated municipal effort to improve the physical, economic and social climates of the Downtown; and ii) to meet the legislative requirements of the community improvement provisions of the Planning Act, Section 28 that allows a municipality to provide loans and grants as are stipulated in the Plan.

The initiatives identified in the Plan are intended to stimulate private investment, property maintenance and renewal in the Downtown. The focus of these initiatives, and of the Community Improvement Plan, is to foster an environment that will: increase the supply of residential units within the Downtown; ensure a viable Downtown population; encourage the provision of unique or specialized attractions and public facilities; encourage the location of community events; and, encourage public improvement such as streetscape improvements and pedestrian amenities.

The Community Improvement Plan is not intended to provide an exhaustive list of revitalization projects that may be undertaken to stimulate community improvement. The objective of the Plan is to provide a context for Downtown revitalization projects, and to guide the municipal decision-making process so that actions are undertaken that are supportive of, and instrumental in, encouraging Downtown renewal. This Plan provides a framework to better identify projects, and makes reference to many initiatives that have been previously identified for Downtown revitalization. These projects all involve many steps, and will, in some cases, require dedicated funding. Given the current economic realities, reliance on projects that will require public funding to encourage redevelopment and revitalization will not accomplish the goal of creating and maintaining a vibrant, healthy Downtown. The role of the municipality is to provide incentives and remove barriers for development. The Downtown Hamilton Community Improvement Plan can provide a context and reference point for developing specific community improvement projects, as well as identifying actions that can be undertaken in a more co-ordinated manner that will foster Downtown renewal.

Like many other municipalities across Ontario, the viability of Hamilton's downtown area has declined in recent years. Factors contributing to the decline are numerous and include the following:

- the absence of new housing developments;
- a system of traffic flows and patterns that is not as user-friendly for pedestrian and cyclists and urban street life;
- assessed property values that no longer reflect market property values;
- shifting consumer retail shopping preferences;
- the lingering economic recession and the "jobless recovery";
- consumer preferences for a suburban atmosphere or "way-of-life" as opposed to a central city ambience; and,

- minimal marketing promotion of the advantages of Downtown Hamilton to prospective businesses and potential residents;

Yet, in spite of Downtown Hamilton's recent difficulties, there is a tremendous untapped potential:

- a population base of some 26,000 residents;
- a personal Disposable household income of residents in excess of \$500 million;
- slightly over 38,000 jobs located in the downtown;
- a strong entrepreneurial spirit among downtown merchants;
- a clear civic commitment from residents of downtown neighbourhoods;
- connections to the West Harbourfront Area and potential redevelopment;
- the Art Gallery of Hamilton, Central Public Library, Hamilton Place, duMaurier Centre, Copps Coliseum, Gore Park, Jackson Square, Hamilton Eaton Centre and City Hall which are all key anchors that underpin the vitality of the downtown community;
- the availability of low-cost customer parking; and,
- a stable population base and the socio-economic characteristics of downtown residents.
- high accessibility compared to some other major centres e.g. Toronto

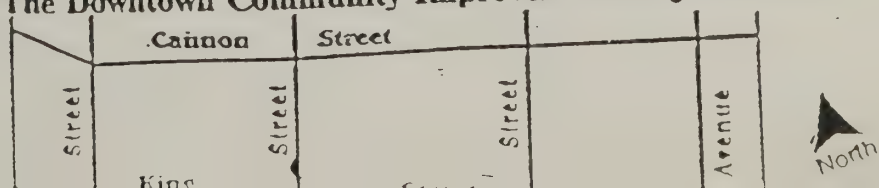
Since 1846, Downtown Hamilton has been the cultural, social and historical centre of the greater Hamilton community. In an era of "cookie-cutter" municipalities, a key strength of the City of Hamilton and the Region of Hamilton-Wentworth is its clearly identifiable City Centre - Downtown Hamilton. This area provides a unique urban ambience unparalleled in greater Hamilton. The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of our community as a whole. The co-ordinated commitment to Hamilton's Downtown is a commitment from all citizens of Hamilton-Wentworth to the betterment of their community.

The challenges facing downtown Hamilton are challenges which face our broader community and cannot be ignored.

2. AREA OF COMMUNITY IMPROVEMENT PLAN

The Downtown Community Improvement Plan applies to the lands identified in the Downtown Community Improvement Project Area (CIPA). The CIPA is bounded northerly by Cannon Street, southerly by Hunter Street, westerly by Queen Street and easterly by Victoria Avenue (as identified in Figure 1).

FIGURE 1. The Downtown Community Improvement Project Area:



3. VISION OF THE DOWNTOWN

Generally the City of Hamilton is striving to achieve the following Mission Statement:

"That the downtown be a community where people wish to live, work and visit".

As such, it is important that the downtown provide the following elements:

- it is integrated, safe, and healthy;
- it links a number of communities and facilities together;
- it is easily accessible and encourages walking, stopping and parking;
- it is a community for young families, aging population, student population, professionals, knowledge workers, workers, regional functions, world class business innovators, visitors, and gentry;
- it offers destination shopping and niche marketing;
- it appeals to those looking for 'creature-comforts'; and,
- it appeals to growing trends in do-it-yourself, cottage industry, home-based businesses, arts and crafts, hobbyists, etc. (e.g. lifelong learning, wine making, gardening, culinary arts and cooking, etc.)

It has been a common theme that the ultimate objective in terms of achieving a specific result is to have more people in the downtown to spend and invest their money. By inference, if the City of Hamilton is successful in assisting in programs which bring a substantially higher number of people downtown and these people spend money and invest in downtown, it will become a viable regional centre.

The three components of the Mission Statement for the downtown should be targeted for special attention. While all three involve people, it is hoped that these three groupings form the basis of action and direction of the City of Hamilton.

a) **Those People Who Live in Downtown**

Much of the literature related to rejuvenation of downtown areas calls for increasing the amount of housing in the downtown area. The objective of the City in this sector will be to establish a comfortable, safe, and dynamic residential community.

Specific initiatives that have and are to be considered include:

- implementation of the Convert-to-Rent Program;
- investigate improved transit;

- initiate a marketing program to illustrate the affordability of moving in downtown Hamilton compared to locations closer to Toronto;
- investigate linkages between housing development in the downtown and access to the GO Station; and,
- fee rebates for new development and redevelopment projects, waiving the parking requirements and the 5% parkland dedication.

b) **Those People Who Work Downtown**

For this group of people, the ultimate objective is for them to either generate a profit in downtown or provide a specific service to those in the downtown core. Those groups who wish to generate a profit in downtown include existing businesses (retail, office, service sector, hotels), owners of existing buildings and owners of vacant land. Programs will have to be devised to enhance existing business operations and to attract new business ventures to the core.

Those who provide a service in the downtown area include: government, educational institutions, local churches, service organizations including the Social Planning & Research Council, hostels, food banks, etc.

There is a range of programs to consider for achieving these objectives. As successful programs are initiated in each of the other two sectors, (i.e. housing and visitors) those with an economic interest in downtown will benefit.

c) **Those People Who Visit the Downtown**

To the extent visitors can be attracted to the downtown area, additional dollars will flow to support downtown business operations. The marketing program should be targeted towards a range of visitor groupings, including those who live in the City of Hamilton and the immediate regional community, out of town visitors in Southern Ontario, the wider Provincial market and Canadian market, as well as international markets.

The intent of this exercise will be to build on the current strengths of the downtown area, develop such markets and broaden the catchment area for downtown facilities while at the same time trying to compete with distant markets to capture dollars which are currently flowing out of the community.

4. GOALS OF THE DOWNTOWN COMMUNITY IMPROVEMENT PLAN

The goals of the Downtown Hamilton Community Improvement Plan are:

- a) to enhance the Downtown as a unique community and the Heart of the City and Region. The Downtown shall be a place where people are attracted to live, work and visit;
- b) to encourage the preservation and enhancement of significant heritage resources;
- c) to encourage and assist private property owners to rehabilitate buildings in the Downtown to ensure their long-term economic viability;
- d) to focus municipal efforts that address the provision of streetscape improvements, municipal services and infrastructure; and,
- e) to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City and Region.

5. OBJECTIVES OF THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

The objectives of the Downtown Hamilton Community Improvement Plan are:

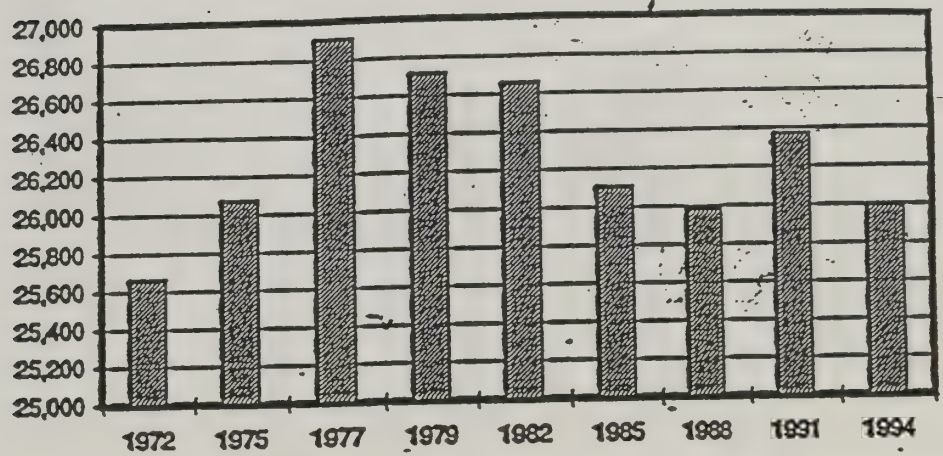
- a) to promote the long-term stability and viability of the Downtown;
- b) to encourage the co-ordination of municipal expenditures and planning and development activity;
- c) to stimulate private property maintenance and reinvestment activity;
- d) to enhance the visual quality of the Downtown through the recognition and protection of heritage buildings;
- e) to upgrade physical services and social and recreation facilities; and,
- f) to provide for streetscaping, servicing and building rehabilitation and improvements to enhance the Downtown, and encourage complementary revitalization or redevelopment through private investment.

6. THE DOWNTOWN AREA - DEMOGRAPHIC ANALYSIS

The following is a summary of major demographic trends affecting the Downtown.

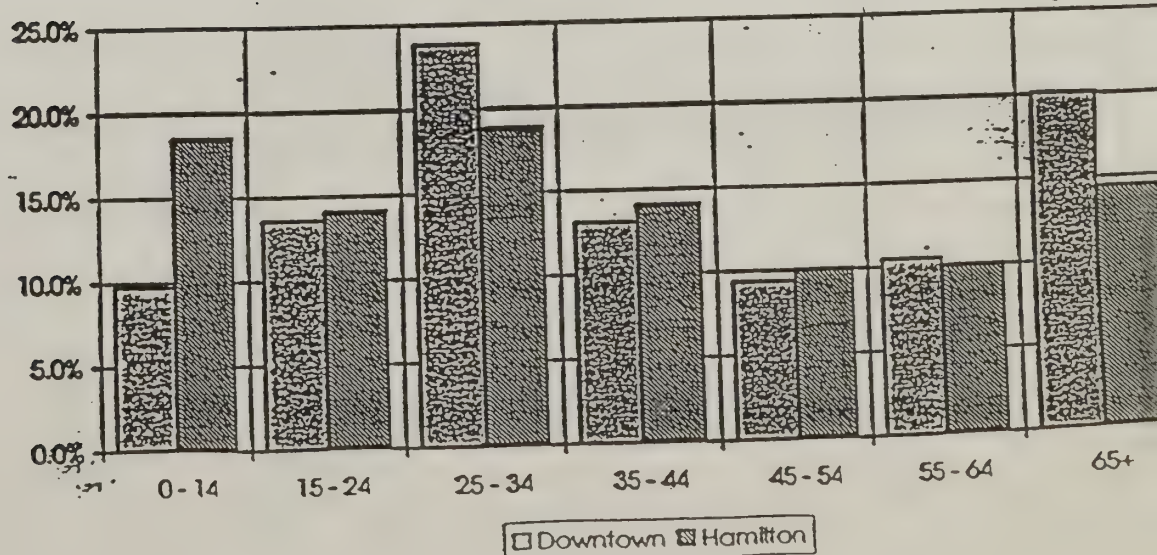
1. The population of Hamilton's Downtown experienced a decline in population from 1977 to 1985 and since that time has remained relatively stable in the 26,000 person range.

Population In Downtown Hamilton



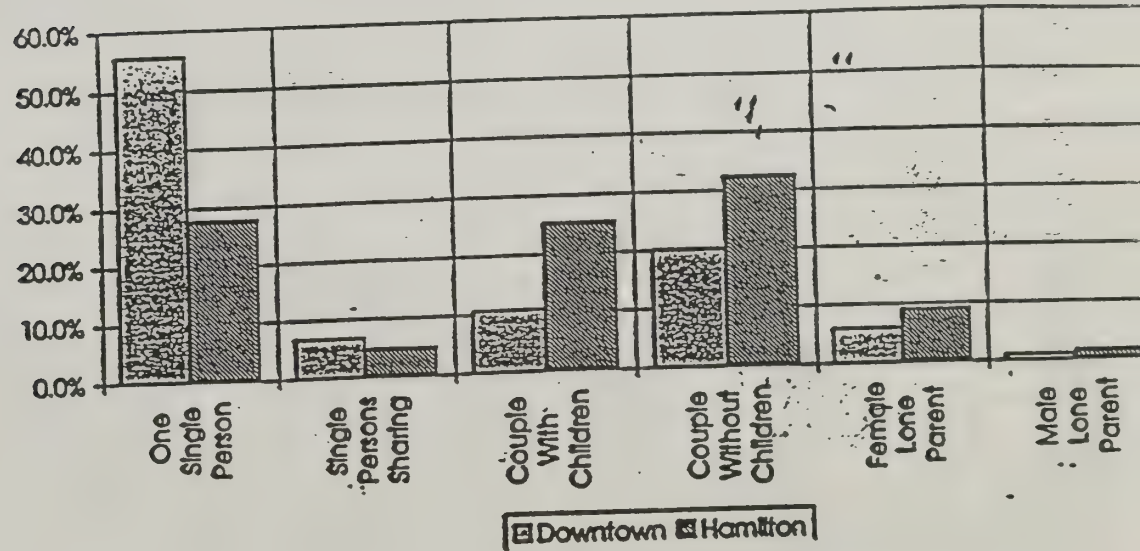
2. Downtown Hamilton recorded a higher proportion of people in the 25 to 34 years age cohort than the City of Hamilton as a whole. In addition, there was a lower proportion of children aged 0 to 14 years in Hamilton's Downtown compared to the City of Hamilton and a higher proportion of senior citizens aged 65 years and over.

Age Distribution of Population, 1991



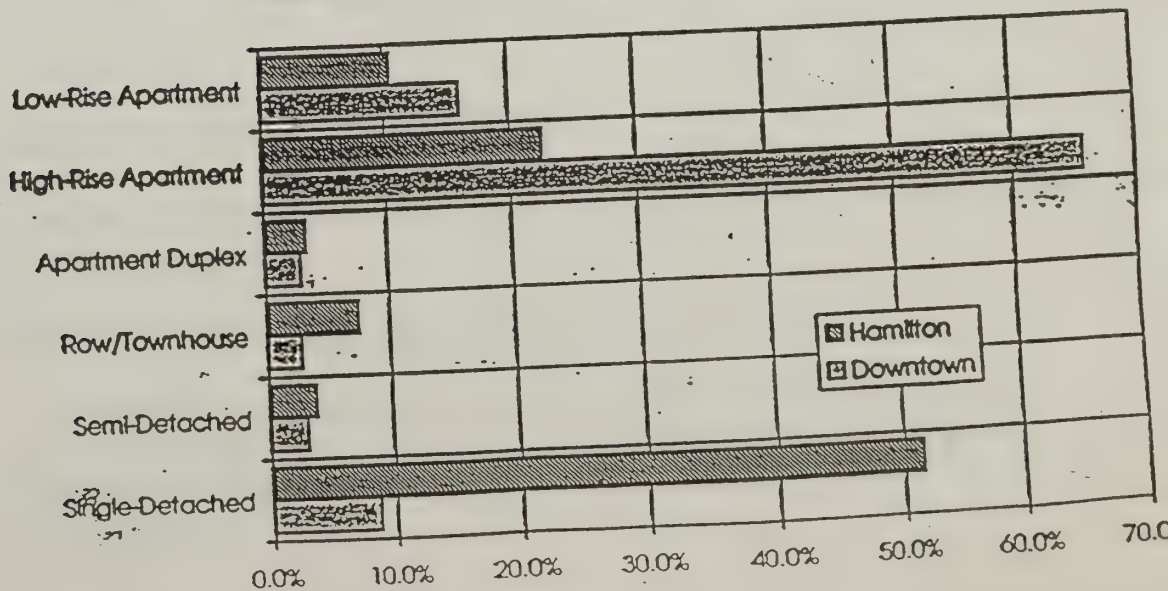
3. One single person households are the most prevalent household type in Hamilton's Downtown and accounted for over one-half of all households. There was a lower proportion of couples with children and couples without children in the Downtown compared to the City of Hamilton.

Distribution of Households by Type, 1991



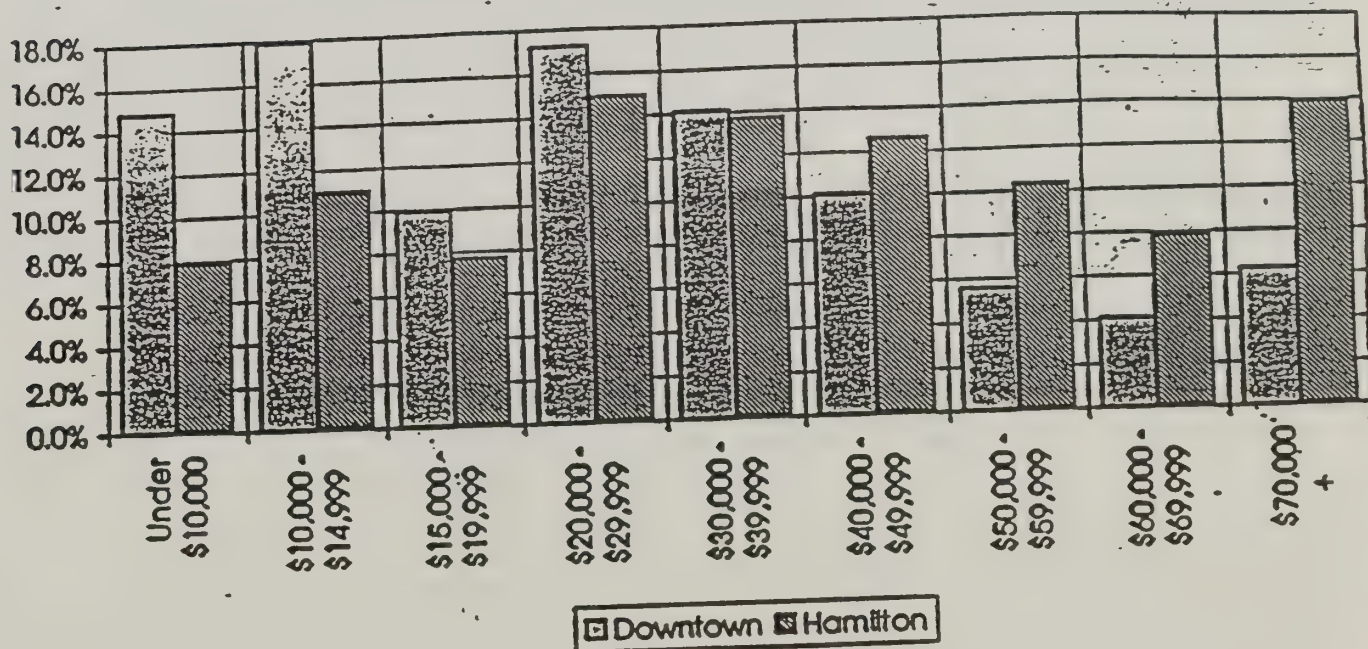
4. There was a much higher proportion of high-rise apartment units in Hamilton's Downtown compared to the City of Hamilton, 65.8 percent versus 22.6 percent. Single-detached dwellings accounted for under 10 percent of all dwellings in the Downtown while the proportion for the City of Hamilton was over 50 percent.

Distribution of Households by Dwelling Type, 1991



5. There was a higher proportion of lower income households in Hamilton's Downtown than the overall City of Hamilton and, conversely, a lower proportion of higher income households. The average household income (1990) for Downtown households was recorded at \$31,228. compared to \$41,232. for the City of Hamilton.

Distribution of Households by 1990 Income



7. PLANNING POLICIES AND CONTROLS

The following is a list of specific controls currently in affect in the downtown and major planning concerns.

A) Regional Official Plan - Towards a Sustainable Region

- Approved by the Ministry of Municipal Affairs on 1995 January 05
- Founded on the principles of Vision 2020 - sustainable development
- Downtown Hamilton designated as the Regional Centre, on Regional Development Pattern

Part B - Quality of Life

Provides policies which endeavour to enhance the way people live in this Region; issues relate to governance, environment, health, social services, shelter, culture, heritage, etc. Policies relevant to CIPA:

- 4.1.1 Implement an Economic Action Plan with emphasis on such things as improving workforce; improving competitiveness of small business; building partnerships in community; developing community infrastructure that is supportive of economic development.

Part C - Land Use Strategy

Contains more specific land use policies to help guide public/private decision making. Policies relevant to the CIPA include compact land use form; retail; services; transit:

- 3.1.1.3 Promote the Regional Centre in Downtown Hamilton as the most important mixed use activity centre, offering the widest range of goods and services of any single location in the Region.
- 3.1.1.4 Maintain the Regional Administrative Offices in the Regional Centre.
- 3.1.1.5 Promote and support efforts directed at making the Regional Centre the focus for major cultural facilities (e.g. art galleries, libraries and performing arts).
- 3.1.6.1 Direct retail/commercial/office uses to locate in Mixed Use Activity Centres and Corridors, shopping centres, existing and planned retail areas.
- 3.1.7.1 Encourage head offices and large branch offices of finance, insurance and real estate firms serving Region-wide or specialized interests to locate in the Regional Centre.
- 3.1.7.2 Encourage Region-wide or specialized community, business and personal services to locate in the Regional Centre.
- 4.3.2.3 Plan and operate the urban transit system, so that:

- a) The Regional Centre is the primary focus of transit service, with an appropriate level of service and degree of accessibility.

B) City of Hamilton Official Plan - Central Area Plan - Extracts Relevant to the CIPA:

Purpose: The Central Area Plan is a secondary plan prepared to give policy direction for the area bounded by the Harbour, Queen Street, the Escarpment and Victoria Avenue. It includes Durand, Corktown, Central, Beasley, North End East and West Neighbourhoods and portions of Landsdale and Stinson west of Victoria Avenue.

Overview: The plan stresses the importance of a healthy, vibrant, well-designed, human-scale environment and economic well-being of the Central Area, with policies aimed at:

- building on the Central Area's existing attributes; and,
- creating an environment conducive to investment, redevelopment and growth.

Status: The Plan is an update of the original Central Area Plan, which dates back to 1981 and is approved by Committee.

There are outstanding appeals of the O.P.A., some of which have been lodged by the Hamilton Harbour Commissioners. Several pre-hearing mediation meetings have been held, with a fifth one to be held shortly, but no compromise solution is anticipated at this time.

Policies: The portions of the plan policies most relevant to the CIPA are:

General: the Centre of Hamilton is considered the "Regional Centre"; and to be recognized as a multi-use area; emphasis on urban design, compatibility of uses.

Downtown Core: includes most of CIPA, except far east and north-east portions.

- Permitted Uses - to maintain and enhance the downtown core, a mix of uses to be encouraged, namely commercial uses (office buildings and stores); residential development; and institutional uses, esp governments.
- Promote as primary commercial centre of Region; location for offices, retail.

- Reinforce existing commercial on James Street, Hess Village, east of James Street.

Mixed Use: includes far east and north-east portions of the CIPA Area.

- Permitted Uses - light industrial, commercial, residential, institutional, recreational and related ancillary uses.
- Existing uses to remain; a mix of new uses to be encouraged; new developments not to adversely affect existing ones; applications to be considered on own merits, in light of long-term goals for growth and revitalization.

C) Neighbourhood Plans in CIPA

i) Central Neighbourhood Plan

Location - This neighbourhood comprises the area bounded by Queen Street, Main Street, James Street and the CNR Mainline north of Barton Street, and includes the portion of the CIPA between Bay Street and James Street.

Neighbourhood Plan Review - A review of the existing Central Neighbourhood Plan is nearing completion. A public meeting is to be held to enable additional public input, prior to the plan being taken forward for adoption.

The emphasis of the proposed plan, for the core area, is to strengthen and complete the areas designated "Downtown Core", as defined by the Central Area Plan. This includes all of the CIPA which is located in the Central Neighbourhood. Higher density housing (4 to 8 storey apartment buildings) are proposed adjacent to the downtown core.

Existing Plan - The original Central Neighbourhood Plan was adopted by City Council in 1973, and has been amended since that time. It designates lands within the Focus Area "Commercial", except for Copps Coliseum and Civic Square, which are designed "Civic and Institutional".

ii) Beasley Neighbourhood Plan

Location - This neighbourhood comprises lands bounded by James Street, Main Street, Wellington Street and the CNR Mainline. It includes the part of the CIPA east of James Street up to Wellington Street.

Neighbourhood Plan Review - A new Beasley Neighbourhood Plan has recently been approved by City Council. The plan was prepared by staff, in conjunction with an advisory committee.

The main thrust of the plan is to make the neighbourhood an "attractive" and "desirable" place to live, namely attractive to residents by improving their quality of life, and attractive to businesses by improving their viability. Proposed actions include increasing the amount of green space; promoting mixed residential/commercial along all major streets; scaling back the one-way street system; undertaking a market value re-assessment; upgrading police presence and attention to urban design; focusing the size of the commercial downtown core into a smaller geographic area; and discouraging the creation of new parking lots.

iii) Corktown Neighbourhood Plan

Location - This neighbourhood comprises the area bounded by James Street, Main Street, Wellington Street and the Escarpment, and includes the portion of the CIPA south of Main and east of James.

Neighbourhood Plan Review - A review of the existing Corktown Neighbourhood Plan began in April, 1996 and is nearing completion. The draft plan, prepared with a citizen advisory committee, has been circulated to agencies. A public meeting is scheduled for December 05, 1996 to obtain input from the general public, prior to the plan being finalized and taken forward to the Planning and Development Committee for adoption in early 1997.

The purpose of the proposed plan is to create, over the next 15 years and beyond, a Corktown that is attractive, affordable and accessible, is clean, green and cohesive; is stable, livable and economically viable; has a strong identity and enhances the image of Hamilton; and has stakeholders actively involved in making decisions about the future of Corktown. Higher buildings of up to 12 storeys are proposed in the core, with lower heights to the south.

Existing Plan - The original Corktown Neighbourhood Plan was adopted by Council in November 1973, and called for a number of rezonings. It has been amended extensively since that time. It designates lands within the CIPA mainly "Commercial", and "Commercial and Apartments" and some "Civic and Institutional".

iv) Durand Neighbourhood Plan

Location - This neighbourhood comprises lands bounded by Queen Street, Main Street, James Street and the Escarpment. It includes the portion of the CIPA south of Main and west of James.

Neighbourhood Plan Review - The Durand Neighbourhood Plan Update was prepared beginning in 1984, with the assistance of a citizen advisory committee. The plan preparation process involved the identification of issues and development of policies and actions to address these. The final version of the plan was adopted by Council in 1987.

The major goals of the Durand Plan include preservation of the residential character, which includes a mix of densities; directing commercial uses to the periphery; increasing recreational and parkland areas; heritage preservation; and restricting through traffic. The area within the CIPA are designated mostly for "Commercial", "Civic and Institutional", and, "High Density Apartments".

Former Plan - The original Durand Neighbourhood Plan was adopted by Council in 1973. It provided for extensive areas of high density residential, and designated lands within the CIPA for much the same uses as the 1987 plan update.

D) Designated Buildings:

Designation of buildings under the Ontario Heritage Act is done for the purposes of identifying and conserving buildings that are considered to be historically and/or architecturally significant. This enables retaining the original architectural character of features, especially facades, and in some cases interior features. Heritage funding grants are available for this purpose, and threatened demolition can be delayed while alternative approaches are pursued.

There are presently 6 designated buildings within the CIPA. These include:

- | | |
|------------------------|------------------------------------|
| - Pigott Building | - Landed Banking Loan Co. Building |
| - Sun Life Building | - Victoria Hall |
| - Right House Building | - Hamilton Courthouse |

The designation of buildings within the CIPA is continuously being reviewed, and LACAC staff have indicated there may be several more buildings to be added to the inventory of listed buildings in the future.

E) Zoning By-Law

The Zoning By-Law governs permitted uses and development standards in the City. Several zoning districts exist in the CIPA, indicated by letter codes. This is a brief overview.

"CR-3" (Commercial - Residential) District

- Found in several areas in central and east part of CIPA
- Permitted Uses: Residential - multiple dwellings; apt. hotel, care facilities; etc.
Commercial - office; retail; etc.; combined with residential, separate access
Institutional & Public - nursing home; day nursery; library; art gallery
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 24 storeys

"H" (Community Shopping and Commercial, etc.) District

- Found at eastern end of CIPA
- Permitted Uses: Residential - lodging house; single family with commercial; care facilities
Commercial - wide range of retail; office; other; some light industrial
Institutional - nursing home; home for aged; day nursery; jail; clubs; etc.
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 4 to 18 storeys

"HI" (Civic Centre Protected Districts)

- Located in vicinity of Main Street and MacNab Street; Main Street and Bay Street
- Permitted Uses: hotel; nursing home; day nursery; public uses;
Commercial - professional offices; various retail and service
- Density permitted: Max. Floor Area - 8 time slot area; Max. Height - 4 to 18 storeys

"I" (Central Business District, etc.) District

- Most prevalent zoning district in CIPA; found throughout, especially west and central
- Permitted Uses: Almost any residential, institutional or public use; care facility; lodging
Commercial - almost any commercial; storage yards;
industrial uses with minimal noise
- Density permitted: Max. Height - 37m (about 10 storeys) to 100m (about 30 storeys)

"J" (Light and Limited Heavy Industry, etc.) District

- One area in block at King William Street and Ferguson Avenue
- Permitted Uses: Institutional Uses including day nursery; detention centre
Public & Commercial - Almost any use
Light & Limited Industrial - uses such as food; mfg.;
metals
- Density permitted: Max. Height - 10 storeys

Several site-specific Zoning By-Laws also exist, to define permitted uses and design for specific sites. For example, "H/S-472".

F) Site Plan Control

The entire Central Area is subject to Site Plan Control. The City reviews site design features, and co-ordinates siting of buildings; grading; landscaping; parking; access; other design aspects.

G) Planning Issues

i) Buildings and Open Spaces

There is diversity in the configuration of buildings and open spaces. There are several large buildings at the western end of the CIPA, including Jackson Square, an enclosed mall, the Hamilton Eaton Centre, Copps Trade Centre and Arena, and several other public buildings within the Civic Centre. There are also several other landmark buildings, many of which have historical significance. Along King Street East, facing Gore Park and extending to the east, most buildings are about three stories in height, apartments over stores, with some new infill.

ii) Design

Development in the downtown, although controlled by various regulations, does not always result in buildings and areas which are attractive to pedestrians. Some sections of the streetscape, such as adjacent to high-rise commercial buildings, are not as inviting to pedestrians as they could be, and in some cases there are obstacles to walking.

iii) Limited Greenspace

Gore Park is a small green space at the very core of the downtown. The green oasis which it provides is surrounded by roadways carrying the highest traffic volumes in the core. The main downtown location for bus stops is also at Gore Park, so the green park environment is often surrounded by a wall

of buses. The original fountain is being reconstructed in the Park, and bus shelters are also being considered, so the actual amount of green space is being reduced.

iv) **Downtown Development Corporation**

The Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC) is a non-profit organization created to establish Downtown Hamilton as the economic, cultural, social and institutional centre of the Region. It was established in mid 1995, with a wide membership including politicians, business people, municipal staff, residents and other key stakeholders, and is intended to be a high profile committee of decision-makers with a mandate for action. Currently they are developing a strategic action plan that will identify downtown initiatives through public/private partnerships.

v) **Status of Downtown Initiatives**

There are many actions, studies and other initiatives underway or being considered in the downtown area. These include areas such as lighting improvements, beautification, parking meters, festivals, student housing; sign requirements; major renovation; etc. There are several committees in addition to the GHDCDC Founding Board, such as the staff Downtown Initiatives Committee.

vi) **Gore Heritage Design Study**

This study was initiated to investigate how to best conserve and enhance the special character of the Gore area of Hamilton. The Gore Park area along King Street in the downtown has much historical significance, but is now threatened by vacant buildings, and high-rise zoning. The study identifies the potential for returning existing buildings to their original condition as well as investigating design guidelines and incentives.

vii) **Social Impact - Public Amenities, Safety, Accessibility**

Crime rates in the downtown and surrounding neighbourhoods are quite high, compared to many suburban areas. These rates must be considered in the context of the higher population densities in the core, and the higher risk of crime associated with more commercial areas.

8. PREVIOUS COMMUNITY IMPROVEMENT PROJECTS

Various portions of the Downtown have been, and in some cases, are still, sites of community improvement projects. The Core Redevelopment Area and corresponding Downtown Core Redevelopment Plan were established by by-law in 1983 for the purpose of implementing various phases of the Downtown Action Plan. The works undertaken included sidewalk improvements and widenings, park redevelopment, street lighting, plantings, street furniture and road resurfacing. Monies to implement the Downtown Action Plan were derived from the Ministry of Municipal Affairs under the Commercial Area Improvement Program and the City of Hamilton. The by-laws establishing the Core Redevelopment Area and corresponding Plan and addendums were repealed in 1991.

In 1986 the City of Hamilton established the Commercial Facade Program. The program is still on-going and provides loans (to a maximum of \$15,000. per unit) at half the City's prime rate, amortized over a ten year period, for the rehabilitation of commercial property facades. This program has since expanded to include a maximum of \$10,000. per unit for interior renovations and is now known as the Commercial Property Improvement Program. The properties must be within an established Business Improvement Area (B.I.A.). There are seven B.I.A.'s presently established in the City of Hamilton namely: Barton General, Concession, Downtown Hamilton, International Village, Main West, Ottawa North and, Westdale Village. Community Improvement Project Areas and corresponding Community Improvement Plans were created in accordance with the Planning Act, Section 28 for the purpose of implementing the Program.

9. COMMUNITY IMPROVEMENT INITIATIVES:

The following list summarizes the strategies and initiatives that may be pursued through this Community Improvement Plan, and through any other City action intended to foster downtown revitalization. This list is not intended to be exclusive or exhaustive. It is intended to provide a framework for Downtown revitalization and renewal. The initiatives have been identified at a number of levels including: the document entitled "Strong Medicine.... A Prescription for the Heart of Hamilton Wentworth; the City/Region staff's Downtown Initiatives Committee; the Mayor's Task Force for Downtown Renewal; and, the Hamilton Society of Architect's Downtown Charette.

Each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process including Standing Committee and Council if needed, and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

a) The Convert/Renovate-to-Rent Program

The City of Hamilton will provide financial assistance to property owners within the CIPA to either create apartments in vacant spaces above stores or to bring unused or deteriorated apartments in commercial buildings into compliance with the Property Standards By-law and Fire Code (as per Appendix 'A').

b) Fee Rebates for New Development and Redevelopment Projects, Waiving of Parking Requirements and 5% Parkland dedication

As an incentive for development and redevelopment activities in the downtown, the City of Hamilton will offer fee rebates for planning and building new development and redevelopment projects as well as waive the 5% parkland dedication and parking requirements for residential development/redevelopment (as per Appendix 'B').

c) Attract key "niche" retailers

Boost the distinctive retail and day-trip profile of Downtown by targeted recruiting of one or more major retailers without a significant presence in Ontario.

d) Prepare Plans for Renovation of Key Vacant Buildings

Work with landlords to create redevelopment proposals for existing properties, aimed at providing facilities for design studios, computer software firms, artists studios and "loft" apartments.

e) Improve Fibre-optic Opportunities in the Downtown

Create a public-sector fibre-optic cable wide-area communications network focused on the Downtown in 1997, to demonstrate that Hamilton makes a good location for communications-based businesses, such as call centres and commercial "back office" functions.

f) Canadian Society of Association Executive Convention in Hamilton

Promote Downtown Hamilton as an excellent location for national and regional association headquarters, by specifically targeting the national trade association of those organizations.

g) Develop a Commercial Parking Lot Licensing By-law

Making parking lots part of the solution to the problems of Downtown, not one of its major symptoms. Combine licensing and redevelopment incentives for commercial parking lots to promote their early redevelopment and to discourage further demolitions leading to more vacant parking lots.

h) Concept for Dealing with Tax and Assessment Issues

Investigate whether the City and Region can facilitate a process through which the Ontario Municipal Board would agree to mediate settlements between the Assessment Commissioner and the appellants.

i) Property Tax Exemptions for municipal and quasi-municipal uses

Expand the range of tax-exemptions for public and cultural institutions, to promote their continued ability to operate economically Downtown.

j) City Housing and Development Targetting on Key Downtown Properties

Identify four or five properties with a high redevelopment priority for the Downtown, and prepare investment portfolios for presentation to identified potential investors. The investment portfolios would highlight commercially attractive features, such as a commitment to include Regional Municipality office space, to relax parking requirements, etc.

k) Implementation of "strategic initiatives" identified in the Downtown Charette

Improve the physical/pedestrian links between key areas of Downtown; such as: between Hess Village and the Convention Centre; between James Street North and the Eaton Centre area; and, between Theatre Aquarius/Broadway and King Street East.

l) Implementation of "Transportation" Initiatives with the Aim of Creating a More "People Friendly" Environment.

Take the proposals set out in various documents e.g. the Regional Transportation Review and Downtown Charette, and explore with the Region, the alternatives to the existing downtown circulation system to promote changes and objectives of the downtown renewal strategies.

m) New Parking Requirements

Authorize universal "no charge" 3 hour parking in all or most municipal lots, to be effective for the 1996 Holiday season. Investigate other parking incentives.

n) Relocation of Regional Offices in the Downtown

As a lever to redevelopment, Regional Municipality office space should be relocated to strategic downtown locations wherever feasible, on an aggressive timetable. If appropriate, the decision to relocate the Region's headquarters to the Court House should be reconsidered, especially if a major new corporate or institutional entity could be recruited to Downtown by leasing that property.

o) Mass-Market the Art Gallery

Encourage the Art Gallery to initiate a major reservation-ticket exhibition with commercial marketing potential.

p) Neo-traditional Development in Neighbourhoods Surrounding the Downtown

Explore with the Hamilton Halton Homebuilders, the possibility of expanding their recent initiative into the creation of a full-scale neo-traditional neighbourhood on underutilized lands adjacent to the Downtown.

q) Create a Hamilton Secondary Plan

Create a separate Downtown Neighbourhood within the City and Regional Official Plans.

r) Create a Downtown Hamilton Partnership

Establish a Downtown Hamilton Partnership, a small group of leaders of business, government and the community at large, who would set broad, strategic direction for Downtown initiatives, but whose work would be done through existing organizations and special task groups created to achieve specific results.

s) **Engage a Downtown Co-ordinator**

Examine the possibility of hiring a Downtown Co-ordinator with responsibility to follow-up on the actions outlined in the Downtown Partnership Strategy. The Co-ordinator would be a full-time advocate for the Downtown, operating at arm's length from municipal authorities, but with the support of municipal resources.

t) **Include Funding for Initiatives in Current and Capital Budgets**

Create a separate Downtown current and capital budget within the overall budgets of the Regional Municipality and the City of Hamilton, in order to allow priorities to be established and work to be more effectively co-ordinated.

u) **Financial Assistance To Property Owners**

Investigate and if feasible implement, financial assistance programs to property owners such as Heritage grants/loans for rehabilitation of historically significant buildings within the CIPA.

v) **Increase in Assessment Rebate Program**

Investigate the potential of implementing a rebate program for property owners who improve their properties thereby increasing the property's assessment. If the potential for the program is feasible implement the Program.

w) **Bus Shelters in Gore Park**

Monitor the bus shelter issue in Gore Park.

x) **Garbage Containers in Alleyways**

Modify the design of the garbage containers in the back alleyways and produce a prototype of the design to determine whether the difficulties encountered through garbage collection is addressed. Continue to work with the B.I.A.'s to address the concerns.

y) **Improve Media Relations**

Establish a rapport with the local media. Feed the media with news on the downtown and celebrate successes.

z) Perimeter Road

The implementation of the Perimeter Road will alleviate the through traffic and truck traffic from the downtown.

aa) Examination of Non-Resident Library Fees

Study the possibility of eliminating the non-resident library fees to encourage residents from the Region to visit the Central Library in the Downtown.

bb) Pedestrian Improvement

Investigate improvements that will make the Downtown more pedestrian friendly. Possibilities could include: sidewalk widening, canopies, re-cyclable bins, additional benches, increased lighting, additional flowers and trees, and, installation of sign trees.

cc) Murals for the B.I.A.'s.

Create wall murals within the Downtown area and investigate other public art opportunities.

dd) Grey Cup Festivities

Approach the owners of empty storefronts to obtain permission to use the window area for displays. Install Grey Cup banners and Canadian flags. Create a mural that is free standing on public property in front of abandoned property. Install lighting in street trees and flood lighting for significant buildings.

ee) Mustard Festival

Implement festivals in the Downtown such as an Annual Mustard Festival.

ff) Sustainable Development Day

Bring the Sustainable Development activities to the Downtown core. Include downtown tours in the programming.

gg) Ferguson Avenue Redevelopment

Implement the downtown portion of the Ferguson Avenue Redevelopment Plan that creates a continual pedestrian/bicycle link between the Escarpment, the Downtown and the Bay. The Downtown portion creates a cultural area within the International Village B.L.A. providing the opportunities to hold many events within this area.

hh) Hughson Street

Review the potential for implementing the Hughson Street Study that proposes the creation of a pedestrian only area on Hughson Street between Hunter and King William Streets.

ii) Gore Park Heritage Study

Implement the Gore Park Heritage Study, a Study that identifies the potential for rehabilitating the historical significance of the buildings surrounding Gore Park.

jj) Downtown Demographic Analysis

Complete a demographic analysis of the downtown based on the 1996 Stats Canada information when available, as well as carrying out surveys, to better understand the surrounding community and to use as possible marketing tools for prospective businesses/developers.

kk) Research Downtown Initiatives in Other Communities

Continue to contact other communities to determine what has aided in revitalizing their Downtowns as well as what hasn't.

ll) Traffic Calming Initiatives

As part of a transportation review investigate traffic calming initiatives.

mm) Improve Safety and Security Initiatives

Investigate the possibility of hiring Ambassadors for the Downtown by contacting other communities that have implemented this initiative, and if appropriate and implement a similar program. The duties of Ambassadors range from cleaning the street to directing people and calling in to the Police Department when the need arises.

nn) **Hamilton/Halton Homebuilders Agreement**

Partner with the Hamilton-Halton Homebuilders Association for the purpose of co-ordinating the development of one or two blocks within the Downtown core. The development will act as a catalyst for other development initiatives.

10. CONCLUSION

The approval of a Downtown Community Improvement Plan will provide a legislative basis and context for some of the initiatives identified to foster Downtown revitalization. The Plan is intended to bring these efforts together within one document in order to ensure that the Downtown is dealt with in a comprehensive and co-ordinated manner, and that the initiatives identified can be directed towards community improvement.

As previously stated, each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process (Standing Committee and Council if needed), and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

APPENDIX "A"

Summary of Terms of Hamilton Downtown Convert/Renovate-to-Rent Loan Program

- (a) Lender: The Corporation of the City of Hamilton
- (b) Duration of Loan Program: Until terminated by City Council
- (c) Initial Loan Capital: \$180,000 - City funds
Additional Loan Capital: \$180,000 - Region funds
- (d) Loan Interest rate: Zero interest
Interest on arrears: 12.9996% per annum or such tax arrears interest rate established by Council.
- (e) Maximum Loan Term: Ten years (subject to prior termination on default)
Principal repayable in monthly amounts over 120 months
- (f) Maximum Loan: The lesser of cost or \$12,000 per apartment unit with a maximum of \$48,000 loan per property;
- (g) Purpose of Loan: Costs of converting upper floors of commercial buildings into apartments or renovations to bring existing apartments into compliance with the Property Standards By-law and Fire Code. The existing apartments must be in commercial buildings;
- (h) Security: Promissory Note and Lien on property being improved and/or a collateral mortgage on other property subject to City's minimum equity requirement;
- (i) Minimum Equity Requirement: Owner shall have not less than 25% equity in the appraised value of the property offered as security, including value of alterations being financed;
- (j) Realty Taxes: In good standing at all times
- (k) Eligible Costs: All costs associated with the conversion or renovations to be borne by the applicant including construction, design, appraisal, legal, registration fees. City retains right to assess reasonableness of costs and which costs are eligible for program;
- (l) Sale or Refinancing of Property: Loan due in full;
- (m) Revolving Loan Account: Loan repayments to be credited to loan program account for re-lending;
- (n) Except as provided above, subject to City's usual lending criteria.

Downtown Savings

Before Downtown Initiatives		After Downtown Initiatives	
Development Charges Commercial - City	\$0.00		\$0.00
Commercial - Region	\$2.64 / m ²		\$0.00
Residential - City	single, semi or row - \$1,563.44 2 or more bedroom apt. - \$894.54 1 bedroom apt. - \$447.27		\$0.00 \$0.00 \$0.00
Residential - Region	single family - \$3,113.00 multiple family - \$3,798.00 apartment - \$2,191.00		\$0.00 \$0.00 \$0.00
Fees *			
Official Plan Amendment	\$1,730.00		\$0.00
Zoning By-Law Amendment	\$1,730.00		\$0.00
Minor Variance (1 or 2 family dwelling)	\$250.00		\$0.00
Minor Variance (all others)	\$400.00		\$0.00
Building Permits	\$150.00 for 1st \$10,000.00 or estimated construction value + \$9.00 each additional \$1,000.00		\$0.00
Site Plan Application	\$1,020.00		\$0.00
Revision of Approved Site Plan	\$410.00		\$0.00
5% Parkland Dedication	5% or cash equivalent		0 % or \$ 0.00, if building permit is issued by Sept. 1 1999
Public Parking in the Downtown (designated lots only)	\$0.80/hr - \$1.60/hr		\$0.00 (Thursday & Friday evenings & all day Saturday)
Parking Requirements Residential	0.8 spaces per class A dwelling unit		0 spaces for renovations/conversions 0 spaces for new construction
Lot Area Requirements for Multiple Dwellings In "1 st " Districts	"1 st " District - 65m ² (699.68 square feet) lot area per dwelling unit		gross floor area not to exceed 2.85 times the area of the lot

* Fees are refundable at the time of issuance of a building permit if issued by Sept. 1/99 and the fees are paid for after Aug. 27/96.

The Corporation of the City of Hamilton

BY-LAW NO. 96-189

To Adopt

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS By-law No. 96- 188, passed on the 12th day of November, 1996, designated the area shown on Schedule "A" thereto as a Community Improvement Project Area in accordance with subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13;

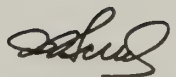
AND WHEREAS Council, on October 29, 1996, in adopting Section 3 of the 17th Report of the Planning and Development Committee approved the Downtown Hamilton Community Improvement Plan;

AND WHEREAS it is intended to adopt a Community Improvement Plan for the said area in accordance with subsection 28(4) of the said Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Downtown Community Improvement Plan hereto annexed as Schedule "A" and forming part of this By-law is hereby adopted.
2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in Section 1 shall include approval for the doing of all things for the purpose thereof.
3. This By-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this 12th day of November, 1996.



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 96- 190

To Amend:

By-law No. 86-98

As Amended by By-laws No. 92-074 and 95-042

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE WESTDALE BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-98, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-30, passed on the 10th day of December 1985, known as the "Westdale Business Improvement Area", more particularly described in By-law No. 86-30, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-074, passed on the 10th day of March 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-98;

AND WHEREAS By-law No. 95-042, passed on the 14th day of February 1995 varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-042;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item of the 18th Report of the Planning and Development Committee at its meeting held on the 12th day of November 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" referred to in clause 2(a) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

Alderman M. Kiss
Alderman M. Caplan

2. Schedule "B" referred to in clause 2(b) of By-law No. 86-98, as amended, is repealed and the following substituted therefor:

D. Upsdell
S. Snider
M. B. Ledden
R. Lahie
G. Ditner
D. Simpson
C. Gerrie
K. Patterson
D. Thorne
B. Davison

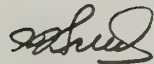
Westdale Jewellers Ltd.
The Picture Frame
Judy Marsales Real Estate
Jack Carruth Shoes Ltd.
Cottage Florist
Simpson Watson and Vujnovic
Journey to the East
Oddities
Truth
Design House Inc.

3. By-law No. 95-042 is hereby repealed in its entirety.

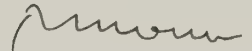
4. In all other respects, By-law No. 86-98, as amended, is hereby confirmed, unchanged.

PASSED this 12th day of November

A.D. 1996



CITY CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96- 191

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

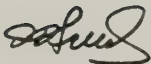
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 12th day of November 1996, A.D.,



CITY CLERK



MAYOR

SCHEDULE "A" to By-law 96-191
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	234 GRAHAM AVE. S.
	SERIAL NUMBER	04 03020 3680
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 300
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	INST # OF TAX ARREARS CERTIFICATE	LT420807
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$10,440.69

BY-LAW NO. 96 - 192

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF NOVEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

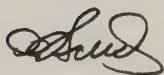
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

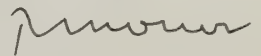
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of November A.D. 1996



CITY CLERK



MAYOR



BY-LAW NO. 96 -193

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 19TH DAY OF NOVEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 19th day of November A.D. 1996



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 96- 194

To Amend:

By-law No. 86-144

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, and established by By-law No. 84-38, passed on the 14th day of February 1984, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-047, passed on the 14th day of February 1995, amended By-law No. 86-144 to vary the composition of the Board of Management and to provide for certain editorial amendments relating thereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 14th Report of the Planning and Development Committee at its meeting held on the 24th day of September 1996, directed that the composition of the Board of Management be amended in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in section 2.(b) of By-law No. 86-144, as amended, is repealed in its entirety and the following substituted therefor:

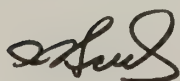
Betty Toplack	Mountain Book Store
Ray Devries	Ford Associates
Roger Burroughs	Camtech
John Woolcott	Woolcott's Shoes
Debbi Johnson	Why Pay More
Paul Wharton	Wharton's Copy Print & More

2. In all other respects, By-law No. 86-144, as amended, is hereby confirmed, unchanged.

PASSED this 26th day of

November

A.D. 1996



CITY CLERK




MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-195

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 95-045

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 95-045, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-045;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 17th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw
Mary Keir
John Gut
Tony Bifano
Greta Munt
Rosemary Young
Daniel Kwiatkowski

Culshaw Cakes
Surplus Plus
Textile Centre
Anton Video
Greta's Flair
Wentworth Paints
Beach Road Meats

2. By-law No. 95-045 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

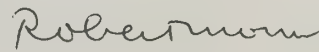
PASSED this 26th day of

November

A.D. 1996



CITY CLERK



MAYOR

(1996) 17 R.P.D.C. 8, October 29

The Corporation of the City of Hamilton

By-law No. 96- 196

To Amend By-law No. 92-174

Respecting:

TRANSFER OF DEBENTURE PROCEEDS

WHEREAS Council, on June 30, 1992, enacted By-law No. 92-174 to authorize the High Pressure Sodium Lighting Conversion Program;

AND WHEREAS Council, on August 27, 1996, in adopting Section 27 of the 14th Report of the Finance and Administration Committee, authorized a transfer of \$892,565.96 from the High Pressure Sodium Lighting Conversion Program to various other projects listed in Schedule "A" attached to this By-law;

AND WHEREAS the Ontario Municipal Board approved the transfer of the \$892,565.96 to the projects listed in Schedule "A";

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The City Treasurer is authorized to transfer the unexpended debenture proceeds of \$892,565.92 from the High Pressure Sodium Lighting Conversion Program to the Projects listed in Schedule "A" attached to this By-law.

PASSED this 26th day of November 1996.



CITY CLERK



MAYOR

SCHEDULE "A" to By-law 96-196

<u>Description</u>	<u>Account Centre Number</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law Number</u>	<u>Excess Debenture Proceeds</u>
Major Maintenance to Civic Buildings	CF 319441005	N/A	94-095	\$ 4,086.36
Major Maintenance to Civic Buildings	CF 319541001	N/A	95-090/95-227	9,126.00
Farmer's Market Replacement of Roof	CF 319441012	N/A	94-095	1,081.86
Scott Parka Arena - Replacement of Roof	CF 319441008	N/A	94-095	1,376.99
Westmount & Mountain Arena - Boiler Replacement	CF 319441009	N/A	94-095	1,598.00
Copps Coliseum - Steam To Hot Water Conversion	CF 319441013	N/A	94-095	2,116.64
Parkdale Arena	CF 709441023	N/A	95-228	228,805.00
Inch Park Arena	CF 709441024	N/A	95-228	228,805.00
Ivor Wynne Stadium Improvements (Infrastructure)	CF 809453007	N/A	94-135	4,785.02
1994 Roads & Sidewalks Reconstruction Program - Local Roads	CF 529442001	N/A	94-095	\$ 54,332.00
Waterfront Park Washrooms	CF 419454014	N/A	94-123	46,453.09
Enclave Clearance Program	CF 308750001	E 871041 09-Dec-87	88-32	<u>310,000.00</u>
				<u>\$892,565.96</u>

The Corporation of the City of Hamilton

By-law No. 96-197

To Consent to:

**THE AMALGAMATION OF UNION GAS LIMITED
AND CENTRA GAS ONTARIO INC.**

WHEREAS by By-law No. 400, passed on the 26th day of September A.D. 1904, Ontario Pipe Line Company Limited, its successors and assigns were granted the right to lay down, maintain and use pipes and other necessary works in the streets, alleys and public grounds, for the transportation and supply of gas to the inhabitants thereof for fuel, heating and lighting purposes;

AND WHEREAS By-law No. 400 aforesaid was amended by By-law No. 443, passed on the 13th day of March, 1905 and further amended by By-law No. 2590 passed on the 29th day of November, 1921, and further amended by By-law No. 4168, passed on the 26th day of March, 1931 and further amended by By-law No. 4936, passed on the 4th day of August, 1938 and further amended by By-law No. 8028, passed on the 30th day of April, 1957;

AND WHEREAS the name of Ontario Pipe Line Company Limited was changed to United Gas and Fuel Company of Hamilton Limited in 1913;

AND WHEREAS the name of United Gas and Fuel Company of Hamilton Limited was changed to United Gas Limited in 1958;

AND WHEREAS United Gas Limited merged with Union Gas Limited in 1973;

AND WHEREAS Section 24 of By-law No. 400 provides (inter alia) that the Company shall not amalgamate or combine with any other company or person or sell out or transfer to any other company or person its rights or property or its gas supply in the City of Hamilton without the consent by by-law of the City Corporation;

AND WHEREAS Union Gas Limited has applied to The Corporation of the City of Hamilton for consent to amalgamate or combine with Centra Gas Ontario Inc.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The consent of The Corporation of the City of Hamilton is hereby given to Union Gas Limited to amalgamate or combine with Centra Gas Ontario Inc. within the meaning of Section 24 of By-law No. 400 of The Corporation of the City of Hamilton.
2. The amalgamated, combined or merged Company shall be bound by all the terms, conditions and obligations of By-law No. 400.

PASSED this 26th day of November , 1996.



CITY CLERK



MAYOR

BY-LAW NO. 96 - 198

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26TH DAY OF NOVEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

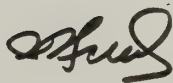
AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of November A.D. 1996



CITY CLERK



MAYOR



BY-LAW NO. 96 - 199

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Appleblossom	Northbound and Southbound	Chester
Grosvenor	Northbound and Southbound	Montclair
Malton	Eastbound and Westbound	Christie
Janet	Westbound	Kenora
Kenora	Northbound and Southbound	Janet
Village	Eastbound	Fairington
Fairington	Northbound and Southbound	Village
Adorn	Northbound	Village
Village	Eastbound and Westbound	Adorn."

and by deleting the following item, namely:-

"Christie	Northbound and Southbound	Malton."
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2. **Schedule 12 (One Way Streets)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Eastgate	Easterly	Fairington	Centennial."
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3. **Schedule 23 (Hamilton Street Railway)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Inbound	Macklin, 965 feet north of Dufferin (M/B)
Inbound	Macklin, 279 feet north of Dufferin (M/B)
Inbound	Longwood, 130 feet south of King (F/S)
Outbound	Anchor, 279 feet south of Bigwin (M/B)
Inbound	Bigwin, 545 feet west of Pritchard (M/B)
Inbound	Anchor, 91 feet south of Stone Church (N/S)."

and by deleting therefrom the following items, namely:-

"Inbound	Norwood at Bond
Inbound	Norwood at Longwood
Inbound	Longwood at Devon Place (FS)
Inbound	Longwood at King."

4. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Ferguson	East	commencing 512 feet south of Barton and extending 262 feet southerly therefrom	Anytime
Ferguson	West	commencing 480 feet north of Cannon and extending 192 feet northerly therefrom	Anytime
Hurst	North	MacNab to Park	Anytime
East 36th	East	North end to 120 feet southerly	Anytime
East 36th	West	North end to 82 feet southerly	Anytime."

and by deleting therefrom the following item, namely:-

"Dalhousie	South	Ottawa to 144 feet west	Anytime."
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5. **Schedule 31 (School Bus Loading Zones)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Cranbrook	West	40 feet commencing 152 feet south of the south curb line of Greendale	7:00 a.m. - 6:00 p.m. Monday to Saturday
Laurier	South	40 feet commencing 88 feet west of Delmar	7:00 a.m. - 6:00 p.m. Monday to Saturday."

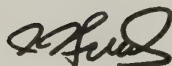
and by deleting therefrom the following item, namely:-

"Laurier	South	120 feet commencing at a point 315 feet east of Columbia	7:00 a.m. - 6:00 p.m. Monday to Saturday."
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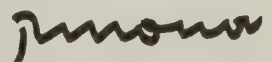
6. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by deleting therefrom the following items, namely:-

"Wood	East	24 feet 74 feet south of Burlington	10:00 a.m. - 8:00 p.m.
Oak	West	26 feet 208 feet north of Cannon	9:00 a.m. - 8:00 p.m.
Cranbrook	West	40 feet 152 feet south of the south curb line of Greendale	8:00 a.m. - 4:00 p.m. Monday to Friday."

PASSED this 10th day of December A.D. 1996.



CITY CLERK



MAYOR

BY-LAW NO. 96 - 200

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Part 3(b)** thereof, the following item, namely:-

"Robert	North	commencing 65 feet east of James and extending 36 feet easterly therefrom."
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2. **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"West 34th	Both	Scenic to Angela	1hr	8 a.m. - 6 p.m. Mon - Fri
Wembley	South	Upper James to West 5th	1hr	8 a.m. - 8 p.m. Mon - Fri."

and by deleting therefrom the following item, namely:-

"Wembley	Both	Upper James to West 3rd	1 hr	8 a.m. - 6 p.m. Mon - Fri
Wembley	Both	West 3rd to West 5th	1 hr	8 a.m. - 6 p.m. Mon - Fri."

3. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Robert	North	commencing at James and extending 65 feet easterly therefrom	Anytime
Robert	North	commencing 101 feet east of James and extending 65 feet easterly therefrom	Anytime
Ferguson	East	commencing at Cannon and extending 303 feet northerly therefrom	Anytime
Dalhousie	South	commencing at Ottawa and extending 144 feet westerly therefrom	Anytime
Hurst	South	MacNab to Park	Anytime
Fairleigh	East	King to Wilson	Anytime
Studholme	West	commencing 273 feet south of Aberdeen and extending 141 feet southerly therefrom	7 am - 8 pm Mon - Sun."

and by deleting therefrom the following items, namely:-

"Robert	North	James to 166 feet east	Anytime
Ferguson	East	Barton to Cannon	Anytime
Hurst	Both	MacNab to Park	Anytime."

5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Tisdale	West	commencing 186 feet north of the east/west leg of Tisdale and extending 14 feet northerly therefrom	Anytime
Keith	North	commencing 162 feet west of Douglas and extending 17 feet westerly therefrom	Anytime
Keith	South	commencing 172 feet west of Douglas and extending 20 feet westerly therefrom	Anytime
Paling	West	commencing 167 feet north of Vansitmart and extending 24 feet northerly therefrom	Anytime
John	East	commencing 58 feet north of Strachan and extending 25 feet northerly therefrom	Anytime
Robins	East	commencing 29 feet north of Sunnidale and extending 21 feet northerly therefrom	Anytime
Primrose	North	commencing 29 feet west of Cavell and extending 18 feet westerly therefrom	Anytime
Primrose	South	commencing 56 feet west of the west curb line of Cavell and extending 18 feet westerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Alanson	South	commencing at a point 95 feet west of the west curb line of Erie Avenue to a point 18 feet westerly	Anytime
Norway	West	commencing 24 feet north of Cumberland and extending 20 feet northerly therefrom	Anytime."

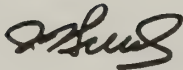
PASSED this

10th

day of

December

A.D. 1996.



CITY CLERK



MAYOR



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-201

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 & 2 ON PLAN 62R-13868
INTO BLOSSOM LANE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Blossom Lane within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Blossom Lane.

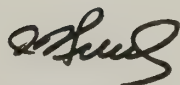
Part of Lot 5, Registered Plan 943, designated as Parts 1 & 2 on Plan 62R-13868.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 10th day of December A.D. 1996



City Clerk





Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-202

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-13871
INTO SEDONA COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sedona Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Sedona Court.

Part of Lot 7, Concession 1 in the geographic Township of Glanford, designated as Part 2 on Plan 62R-13871.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

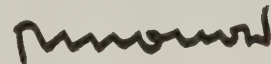
2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 10th day of December A.D. 1996



City Clerk





Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96- 203

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-13352
INTO QUEENSDALE AVENUE EAST

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Queensdale Avenue East within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Queensdale Avenue East.

Part of Park Lot 22, Registered Plan 296, designated as Part 2 on Plan 62R-13352.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

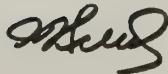
PASSED this

10th

day of

December

A.D. 1996



City Clerk



Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-204

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 3 & 5 ON PLAN 62R-13772
INTO BORDEAUX COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Bordeaux Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Bordeaux Court.

Part of Block 16 on Plan 62M-664 and Part of Lot 11, Concession 8 in the geographic Township of Barton, designated as Parts 5 & 3 on Plan 62R-13772 respectively.

City of Hamilton

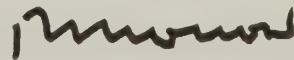
Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 10th day of December A.D. 1996



City Clerk



Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-205

To Amend

By-law No. 86-77

**TO REGULATE USAGE OF HEDGES, SHRUBS
AND PLANT MATERIAL ON ROAD ALLOWANCES**

WHEREAS Subsection 308(3) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, authorizes the council of every municipality to pass by-laws for placing or permitting any person under such conditions as may be agreed upon to place, construct, install, maintain, and use objects in, on, under or over highways under its jurisdiction, to permit any person to make, maintain and use areas under and openings in the highways, for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained or used and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable;

AND WHEREAS Subsection 314(1) of the Municipal Act, R.S.O. 1990, c. M.45 as amended authorizes the councils of all municipalities to pass by-laws for prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 9329 on the 9th day of May, 1961, being the Streets By-law, to regulate, among other things, the planting of trees and shrubs along the boulevards and road allowances in the City of Hamilton;

AND WHEREAS By-law No. 86-77 was enacted on the 25th day of February, 1986 to consolidate the Streets By-law No. 9329;

AND WHEREAS By-law No. 88-244 was passed on the 5th day of October, 1988 to amend By-law No. 86-77 on the planting of trees and shrubs on boulevards and the road allowance;

AND WHEREAS By-law No. 88-244 was repealed by By-law No. 92-155;

AND WHEREAS City Council, on July 9, 1996, in adopting Section 12 of the 10th Report of the Transport and Environment Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Paragraph (d) of Section 1 of By-law No. 86-77 is amended by deleting paragraph (d) and substituting in lieu,
 - (d) "Director of Public Works" shall mean the "Commissioner of Public Works and Traffic".
- (2) Paragraph (e) of Section 1 of By-law No. 86-77 is further amended by deleting paragraph (e) and substituting in lieu,
 - (e) "Traffic Commissioner" shall mean the "Commissioner of Public Works and Traffic".

2. By-law No. 86-77 is amended by the addition of the following Section:

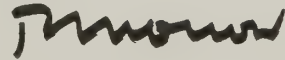
OWNERS OF LAND MAY PLANT HEDGES AND SHRUBS

5. (1) Hedges, shrubs and other plant material may be permitted on the boulevard of the highway provided that any such hedge, shrub or other plant material situated within the highway
- (i) shall not create an obstruction to traffic using the highway;
 - (ii) shall be maintained by the owner of the land abutting the highway at not higher than 76 cm or 30 inches in height;
 - (iii) shall not overhang the sidewalk, shoulder or roadway;
 - (iv) shall maintain a minimum clearance of 0.6 metres or 2 feet from a fire hydrant, and
 - (v) shall not obstruct the view of a fire hydrant from the road.
- (2) Where an owner of land abutting a highway has planted a tree on the boulevard of a highway, the tree shall be pruned to the trunk for the first 2.4 metres or 8 feet by the Department of Public Works and Traffic.

PASSED this 10th day of December, 1996.



CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96- 206

To Amend

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section No. 13 of the 15th Report of the Parks and Recreation Committee on November 26, 1996, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1997.

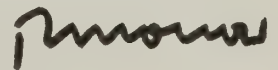
NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, By-law 93-019, By-law 93-245, By-law No. 95-048 and By-law No. 96-005 is further amended by deleting Schedule "A-1996" and substituting in lieu thereof Schedule "A-1997, hereto annexed and forming part of this by-law.
- (b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.
2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.
3. This By-law comes into effect on January 1, 1997.

PASSED this 10th day of December, 1996.



CITY CLERK



MAYOR

SCHEDULE "A"

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1996				1997				% Increase Over 1996				
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents						
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.		Total			
BURIALS AND REMOVALS													
Opening and Closing													
- 6 ft. Adult	495.00	34.65	529.65	594.00	41.58	635.58	520.00	36.40	556.40	624.00	43.08	687.68	5%
- 8 ft. Adult	696.00	46.62	712.62	771.00	53.97	824.97	699.00	48.93	747.93	810.00	56.70	866.70	5%
- 6 ft. Child	76.00	5.32	81.32	92.00	6.44	98.44	76.00	5.32	81.32	92.00	6.44	98.44	0%
- case up to 24"	161.00	11.27	172.27	193.00	13.51	206.51	161.00	11.27	172.27	193.00	13.51	206.51	0%
- case 25" to 42"	235.00	16.45	251.45	282.00	19.74	301.74	235.00	16.45	251.45	282.00	19.74	301.74	0%
- case 43" to 60"	306.00	21.42	327.42	366.00	25.62	391.62	306.00	21.42	327.42	366.00	25.62	391.62	0%
- case 61" to 72"	273.00	19.11	292.11	328.00	22.96	350.96	273.00	19.11	292.11	328.00	22.96	350.96	0%
- case up to 60"	327.00	22.89	349.89	392.00	27.44	419.44	327.00	22.89	349.89	392.00	27.44	419.44	0%
- case 61" to 72"	161.00	11.27	172.27	193.00	13.51	206.51	169.00	11.83	180.83	203.00	14.21	217.21	5%
- Cremation	59.00	4.13	63.13	70.00	4.90	74.90	62.00	4.34	66.34	74.00	5.18	79.18	5%
- Cremorial	110.00	7.70	117.70	126.00	8.82	134.82	116.00	8.12	124.12	132.00	9.24	141.24	5%
- Columbarium	407.00	28.49	435.49	488.00	34.16	522.16	427.00	29.89	456.99	512.00	35.84	547.84	5%
- Mansion of Memories (Stoney Creek)													
Lowering (Includes Opening, Removal, Lowering, Closing)													
- Adult - 6 ft. to 8 ft. - shell	1,911.00	133.77	2,044.77				2,007.00	140.49	2,147.49				5%
- Adult - 6 ft. to 8 ft. - concrete vault/crypt	1,591.00	111.37	1,702.37				1,671.00	116.97	1,787.97				5%
- Child - 6 ft. to 8 ft. - 5 to 10 years	678.00	47.46	725.46				712.00	49.84	761.84				5%
- Child - 6 ft. to 8 ft. - under 5 years	569.00	39.83	608.83				597.00	41.79	638.79				5%
Removals													
- Adult - Shell	1,739.00	121.73	1,860.73				1,828.00	127.82	1,953.82				5%
- Adult - Concrete vault or crypt	1,420.00	96.40	1,516.40				1,491.00	104.37	1,595.37				5%
- Child - Shell	601.00	42.07	643.07				631.00	44.17	675.17				5%
- Child - Concrete vault or crypt	491.00	34.37	525.37				516.00	36.12	552.12				5%
- Cremation	161.00	11.27	172.27				169.00	11.83	180.83				5%

PUBLIC WORKS - CEMETERIES DIVISION

	1996				1997				% Increase Over 1996								
	Resident & Realty Taxpayers			Non-Residents	Resident & Realty Taxpayers			Non-Residents									
	Cost	G.S.T.	Total		Cost	G.S.T.	Total			Cost	G.S.T.	Total					
FOUNDATIONS AND MARKERS																	
- Foundation - pouring per square inch of surface area (6 feet deep)	1.01	0.07	1.08		1.23	0.09	1.32		1.06	0.07	1.13		1.29	0.09	1.38	5%	
FOUNDATIONS AND MARKERS																	
- 12" X 10" & Child's 18" X 14"																	
- all other Flat Markers	79.00	5.53	84.53		95.00	6.65	101.65		83.00	5.81	88.81		100.00	7.00	107.00	5%	
- Bronze Vase	120.00	8.40	128.40		144.00	10.08	154.08		126.00	8.82	134.82		151.00	10.57	161.57	5%	
- D.V.A. Upright	101.00	7.07	108.07		101.00	7.07	108.07		106.00	7.42	113.42		106.00	7.42	113.42	5%	
- D.V.A. Flat	101.00	7.07	108.07		101.00	7.07	108.07		106.00	7.42	113.42		106.00	7.42	113.42	5%	
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE																	
- Adult Single Grave	487.00	34.09	521.09		602.00	42.14	644.14		511.00	35.77	546.77		632.00	44.24	676.24	5%	
- Preferred Single Grave	815.00	57.05	872.05		1,007.00	70.49	1,077.49		856.00	59.92	915.92		1,057.00	73.99	1,130.99	5%	
- Child - single in a row - case up to 24"	54.00	3.78	57.78		64.00	4.48	68.48		54.00	3.78	57.78		64.00	4.48	68.48	0%	
- Child Single Grave - case 24" to 60"	117.00	8.19	125.19		182.00	10.84	192.84		117.00	8.19	125.19		182.00	10.84	192.84	0%	
- case 61" to 72"	172.00	12.04	184.04		207.00	14.49	221.49		172.00	12.04	184.04		207.00	14.49	221.49	0%	
- Urn Garden	284.00	19.88	303.88		330.00	23.10	353.10		340.00	23.80	363.80		408.00	28.56	436.56	20%	
- Veteran's Grave	463.00	32.41	495.41						486.00	34.02	520.02					5%	
- Two-Grave Lot	1,958.00	137.06	2,095.06		2,331.00	163.17	2,494.17		2,154.00	150.78	2,304.78		2,448.00	171.36	2,619.36	10%	
- Two-Grave Lot - Eastlawn	1,525.00	106.75	1,631.75		1,906.00	133.42	2,039.42		1,601.00	112.07	1,713.07		2,001.00	140.07	2,141.07	5%	
- Three-Grave Lot - Woodland	2,791.00	195.37	2,986.37		3,491.00	244.37	3,735.37		2,931.00	205.17	3,136.17		3,696.00	256.02	3,952.02	5%	
- Four-Grave Lot - Woodland Section 15	6,759.00	473.13	7,232.13		8,444.00	591.08	9,035.08		7,097.00	496.79	7,593.79		8,866.00	620.62	9,486.62	5%	
- Eastlawn / Woodland	3,658.00	256.06	3,914.06		4,653.00	325.71	4,978.71		3,841.00	268.87	4,109.87		4,886.00	342.02	5,228.02	5%	
- Four-Grave Lot - Trinity	3,438.00	240.66	3,678.66		4,363.00	305.41	4,668.41		3,610.00	252.70	3,862.70		4,581.00	320.67	4,901.67	5%	
- Mansion of Memories - Mausoleum crypt	1,302.00	91.14	1,393.14		1,383.00	100.17	1,531.17		1,367.00	95.99	1,462.99		1,503.00	105.21	1,608.21	5%	
- Cremorial	857.00	59.99	916.99		1,023.00	71.96	1,094.96		900.00	63.00	963.00		1,079.00	75.53	1,154.53	5%	
- Columbarium - upper level	1,017.00	71.19	1,088.19		1,221.00	85.47	1,306.47		1,118.00	78.26	1,196.26		1,342.00	93.94	1,435.94	10%	
- Columbarium - lower level	1,017.00	71.19	1,088.19		1,221.00	85.47	1,306.47		1,017.00	71.19	1,088.19		1,221.00	85.47	1,306.47	0%	
- Monument Columbarium	832.00	58.24	890.24		998.00	69.86	1,067.86		915.00	64.05	979.05		1,048.00	73.36	1,121.36	10%	
- 40% of Grave and Lot sales goes into Care & Maintenance																	
- 20% of Mausoleum Crypt sales goes into Care & Maintenance																	
- 15% of Columbarium and Mausoleum sales goes into Care & Maintenance																	

PUBLIC WORKS - CEMETERIES DIVISION

	1996			1997			% Increase Over 1996
	Resident & Realty Taxpayers		Non-Residents	Resident & Realty Taxpayers		Non-Residents	
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	
ADDITIONAL SERVICES							
- Youth	308.00	21.56	329.56	308.00	21.56	329.56	0%
- Social Services	300.00	21.00	321.00	300.00	21.00	321.00	0%
- Intermediate	330.00	23.10	353.10	330.00	23.10	353.10	0%
- Oversize	350.00	24.50	374.50	350.00	24.50	374.50	0%
- Miscellaneous:							
- Tent in Cemetery	148.00	10.36	158.36	155.00	10.85	165.85	5%
- Rental of tent outside cemetery	202.00	14.14	216.14	212.00	14.84	226.84	5%
- Transfer fee \$40 + G.S.T.	43.00	3.01	46.01	45.00	3.15	48.15	5%
- Bronze Memorial Plaque for Columbarium Niche	301.00	21.07	322.07	316.00	22.12	338.12	5%
- Companion Vase on Columbarium Niche	59.00	4.13	63.13	62.00	4.34	66.34	5%
- Bronze Memorial Plaque for Cremorial	134.00	9.38	143.38	141.00	9.87	150.87	5%
- Supply, install and maintain flower bed to maximum three graves - per grave	107.00	7.49	114.49	112.00	7.64	119.64	5%
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	375.00	26.25	401.25	394.00	27.58	421.58	5%
- Memorial Bench - 8X5 Bronze plaque - 3 lines	536.00	37.52	573.52	593.00	39.41	602.41	5%
- Flower Pot Hanger	16.00	1.12	17.12	17.00	1.19	18.19	5%
- Temporary Marker				43.00	3.01	46.01	
Note: Special Lettering which carries an extra charge will be added to plaque charge							
NOTE : PERSONAL COLUMBARIUM AND MAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS							
Family research \$2.00 per name							
CARE AND MAINTENANCE FUND							
- markers and upright monuments:	N/C			N/C			0%
- any flat marker under 173 sq. in.	50.00	3.50	53.50	50.00	3.50	53.50	0%
- any flat marker over 173 sq. in.	100.00	7.00	107.00	100.00	7.00	107.00	0%
- any upright monument <= 4 ft. in length/height	200.00	14.00	214.00	200.00	14.00	214.00	0%
- any upright monument over > 4 ft. in length/height							
Provincial Regulation - these funds are set and trusted							

The Corporation of the City of Hamilton

BY-LAW NO. 96-207

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 91-175

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1425 AND 1429 UPPER JAMES
STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-175 on the 24th day of September, 1991 to rezone Block 1 from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District and Block 2 from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District and to establish special requirements with respect to Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 91-175 provides that upon the approval of a Site Plan incorporating Blocks 1 and 2 with the adjoining lands to the south and east, the 'H' symbol shall be removed by amendment to By-law No. 91-175;

AND WHEREAS approval of a Site Plan as deemed necessary by the City has been received.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS City Council in adopting Item 10 of the 20th Report of the Planning and Development Committee at its meeting held on the 10th day of December, 1996 directed that By-law No. 91-175 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 91-175, passed on the 24th day of September, 1991, to the "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District designation of Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan annexed as Schedule "A" to By-law No. 91-175 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3. of By-law No. 91-175.

2. Sheets No. E-9C and E-9D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 91-175, are further amended by changing from "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District to "HH" (Restricted Community Shopping and Commercial) District, the land, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3 of By-law No. 91-175.

4. By-law No. 6593, as amended by By-law No. 91-175, is further amended by adding this by-law to section 19B as Schedule S-1242a.

5. Sheets No. E-9C and E-9D of the District Maps, as amended by By-law No. 91-175, are amended by marking the lands referred to in section 1. of this by-law, S-1242a.

6. In all other respects, By-law No. 91-175 is hereby confirmed, unchanged.

PASSED this 10th day of December A.D. 1996.

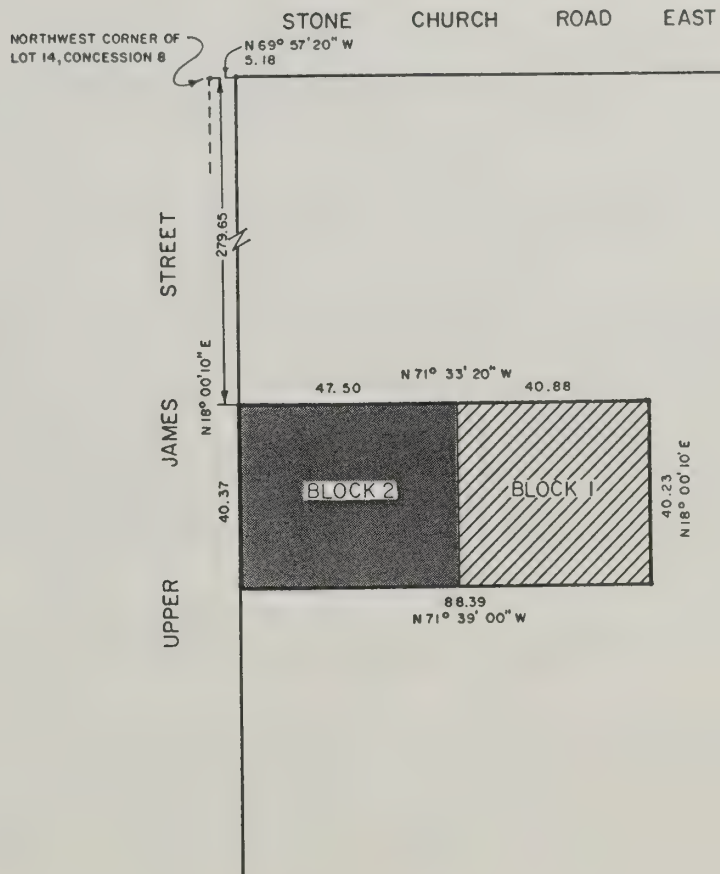


CITY CLERK



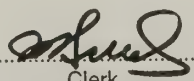

MAYOR

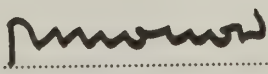
(1996) 20 R.P.D.C.¹⁰, December 10
859778 Ontario Inc. (Domenic Carnicelli), owner
ZAR-94-28



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-207...
Passed the 10th day of December, 1996.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-207...
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 96-207...



Scale
Not to Scale
Date
JULY 1996

Reference File No.
ZAR-94-28
Drawn By
E. C.

The Corporation of the City of Hamilton

BY-LAW NO. 96-208

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds,, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

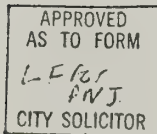
AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item of the Report of the Finance and Administration Committee on 3rd December 1996 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1997 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1997 and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1997 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1996 are Five Hundred and Thirteen Million, Four Hundred and Ninety Four Thousand and Three Hundred and Fifty Dollars (\$513,494,350.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. By-law 96-009 is repealed.
6. This by-law shall come into force and effect on the 1st day of January, 1997, and shall remain in force and effect until December 31, 1997.



PASSED this 10th day of December A.D., 1996.

CITY CLERK



MAYOR

BY-LAW NO. 96 - 209

**CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE
CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF
DECEMBER A.D., 1996.**

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

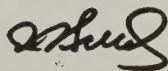
1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this

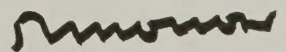
10th

day of December

A.D. 1996



CITY CLERK



MAYOR

MEMORANDUM FOR THE RECORD

1. On 10/10/54, the following information was received from the [redacted] regarding the [redacted] of the [redacted] in the [redacted] area.

2. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

3. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

4. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

5. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

6. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

7. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

8. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

9. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].

10. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].



11. The [redacted] of the [redacted] was [redacted] on 10/10/54. The [redacted] was [redacted] by [redacted] and [redacted].



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